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TRIAL

OF THE

REV. ALEXANDER FLETCHER, A.M

BEFORE THE

LORD CHIEF JUSTICE

OF THE

COURT OF COMMON SENSE,

AND

A SPECIAL JURY.

BY THE AUTHOR OF THE

"TRIAL OF THE REV. EDWARD IRVING, A.M."

You could, for a need, study a speech of some dozen or sixteen lines, which I would set down and insert in 't. Could you not?

HAMLET.

LONDON:

PRINTED FOR KNIGHT AND LACEY,

PATERNOSTER-ROW.

MDCCCXXV.

B. Bensley, Printer,
Bolt-court, Fleet-street.

HIGH COURT OF COMMON SENSE,

Saint Alexander's Day.

RETRIBUTION TERM, 1824.

DICK *v.* FLETCHER.

EVERY day since the commencement of the present Sessions, the Court has been thronged by persons anxious to be present at the hearing of this important case. It was expected to be one of the first that would come on for trial; but has been put off from time to time, on various dilatory pleas put in by the defendant.* It being, at length, generally understood that the hearing would take place this day, the Court was crowded to excess, by persons of both sexes, of all ranks and classes, and from all parts of the kingdom. One primitive-looking old man, in a plaid dress, who was very strenuous and noisy in his efforts to secure a good seat for himself, said

* The Defence or "Appeal" was not published till very late in the year.

he had "cum a' the way frae the brig o' Teeth, to hear what they had to say to his auld frien' Sandy;" and two very tall and gaunt ladies, in yellow bonnets, who sat in the front of the gallery, were said to be the Miss M——s, of Glasgow, who had come up on purpose to buy snuff and witness the putting of the gay and Reverend deceiver to shame.

Mr. Phillips, Mr. Chitty, and Mr. Law, appeared as counsel for the prosecution; Mr. Scarlett and Mr. Campbell for the defendant.

The Lord Chief Justice took his seat on the bench precisely (reporters cannot be too precise in these particulars) at eleven minutes and a half past nine o'clock.

At this moment a great confusion was occasioned, in the body of the Court, by a tall, raw-boned, yellow haired, vulgar-looking man, in the dress, apparently, of a horse-jockey, insisting that he had a right to a seat within the bar, which nobody, however, seemed disposed to admit.

Chief Justice.—Who's that man?

Mr. Common Sergeant.—Mr. Joseph Wilfred Parkins, my Lord, who was, two or three years ago, one of the Sheriffs of London and Middlesex, and who claims a privilege, usually conceded to all Ex-Sheriffs, of sitting within the bar.

Mr. Scarlett.—I know not, my Lord, what Mr. Joseph Wilfred Parkins' privileges may be in other Courts; but it is a matter of doubt, with me, whether he has any right to be here at all.

Chief Justice.—Oh! certainly none; this is a Court of Common Sense. Officers, turn him out.

Mr. Counsellor French rose, as if to interpose a few words in behalf of the XXXX Sheriff; but on a friend whispering in his ear, that he had better be quiet, least his own title to be present might be called in question, he sat down again.

Mr. PARKINS was then removed, *vi et armis*, out of Court, and order restored.

The names of the Special Jurymen, summoned for the trial of this case, were then called over; and after an unusual number of peremptory exceptions had been taken, chiefly by the counsel for the prosecution, (to Colonel Berkely, Lord William Lennox, Mr. Calcraft, M. P., and Joseph Hayne, Esq., among others) the following Gentlemen were sworn in:—

Sir WALTER SCOTT, Bart.	THOS. CAMPBELL, Esq.
Sir WM. CURTIS, Bart. M. P.	THOS. MOORE, Esq.
Sir JAS. MACKINTOSH, Kt. M.P.	SAMUEL ROGERS, Esq.
Sir JAS. ABERCROMBY, M. P.	JOHN GALT, Esq.
J. W. CROKER, Esq. M. P.	WM. BLACKWOOD, Esq.
KIRKMAN FINLAY, Esq.	JAMES BLYTHE, Esq.

The Jury being asked who they made choice of for their foreman, answered, with one voice, "Sir Walter Scott."

Case for the Prosecution.

Mr. LAW stated that this was an indictment at the instance of Miss Eliza Dick,

daughter of the Rev. Dr. Dick, of Glasgow, against the Rev. Alexander Fletcher, some time Minister of Albion Chapel, London. It consisted of three counts. The *first* related, That whereas the defendant, not having the fear of public opinion before him, and being moved and instigated by the devil, did, some time or other in the years 1822 and 1823, and again, some time or other in the years 1822 or 1823, by looks, words, sighs, groans, letters, vows, protestations, genuflections, sweetmeats, &c. &c. &c., or by some or other of all those means, make love to, and captivate, the heart of the said Eliza Dick, and that he did thereupon, at each of the times aforesaid, promise and engage, bind and oblige himself, to take the said Eliza Dick, to be his wedded wife, for better and for worse, &c.; but that the defendant had, in both of the said instances, broken his promise and engagement to the said Eliza Dick, whereby she had suffered serious loss, damage, &c. &c. The *second* count, after relating as above, charged the defendant, furthermore, with having moved and instigated as aforesaid, falsely, wrongfully, and maliciously said, to

sundry persons in and about the city of London, and elsewhere, that it was the said Eliza Dick who, in the years 1822 or 1823, did, by looks, words, sighs, &c., or by some or other of all these means, make love to the said Alexander Fletcher, &c. &c., and that, in both the instances aforesaid, it was the fault of the said Eliza Dick, and not of the said Alexander Fletcher, that the marriage agreed to be solemnized between the parties, did not take place; by all which, the said Eliza Dick had been much scandalized in her reputation, and had suffered serious loss, damage, &c. The *third* and last count, after relating as in the first count, stated that the defendant, moved and instigated as aforesaid, had made use of sundry shifts, shufflings, artifices, subterfuges, fictions, fabrications, &c. &c., to excuse, palliate, extenuate, justify, &c. his said breaches of promise; by all which, the said Eliza Dick had been deceived, deluded, befooled, &c., to her great hurt, prejudice, damage, &c. &c.

Mr. PHILLIPS then rose to address the Jury.

"MIRACULOUS SPIRIT, MADAM, DESCENDING UPON YOU!"

My Lord, and Gentlemen of the Jury,

The case which, by the kind concession of my much more efficient colleagues, I am instructed now to lay before you, is one of so extraordinary a nature, that I wonder not at the great interest which it seems to have excited. It is one of those cases which is not limited to the individuals immediately concerned; it speaks to the feelings of every circle of society from the highest to the lowest; it alarms the very heart of the community, and commands the whole social family to the spot where insulted beauty, prostrate at your bar, calls aloud for pity and protection. Nominally, Gentlemen, you are empannelled to repair a private wrong, and a wrong which is of as deadly a nature as human wickedness can inflict; a wrong which annihilates the hope of the parent, and the happiness of the child; which in one moment blights the fondest anticipations of the heart, and casts a death-like coldness on "the hearth within our bowers." But, in reality, Gentlemen, you have to do much more; you are to say by your verdict, whether an example of such transcendant turpitude as that which I shall unfold to you is to stalk forth for public imitation; or to be branded with the scorn and reprobation which it merits. It is not only individual and family happiness most wantonly wounded, but,

fearlessly invite them to contemplate that state of matters in all its consequences. I would ask them, to shew me a people among whom breaches of promise of marriage are less frequent, or the seduction of female innocence a crime of such rare occurrence. I would boldly challenge them to point me out the land where beauty enjoys more of that reverential homage, which is her birthright; where loveliness is more habitually allied to virtue, without which, all else is fleeting and perfidious; where constancy to the obligations of lover, husband, and wife, is more firmly domesticated; where passion is kept more sternly under the guidance of honour and morality; where woman, in short, is more invulnerable in her chaste and charmed helplessness.

Nor is the reason for all this, Gentlemen, so difficult of comprehension as those may imagine, with whom modes and ceremonies are every thing, and truth and honour but empty names. The superior consequence which our northern neighbours so wisely attach to all promises of marriage, however secret, and the simplicity of the means by which an indissoluble connexion may be founded upon them, teach their young men to be circumspect in their advances to the fair sex; to proffer no declarations of attachment but what spring from the heart, and are rooted there beyond the power of change; to sport no vows

in the sight of God, which they are not prepared to fulfil in the sight of men. They teach the Caledonian fair too, how they may, at all times, and under all possible circumstances, appreciate and test the sincerity of the professions which are addressed to them; they take away from seduction its pretence, from lovers' perjuries their impunity; by removing all obstacles to the lawful consummation of a virtuous attachment, they interpose such an obstacle to the triumphs of lawless desire, as can only be surmounted where corrupt inclination plays the pander to voluntary degradation.

Such, Gentlemen, is the country where this defendant drew his first breath; such the estimable habits and customs of the people among whom he grew up to manhood, and which must necessarily have had a principal share in forming his views, of what is right and wrong, in the various relations of life. He comes from a land, not merely unrivalled in intelligence and morals, but where a promise of marriage is invested with an importance and sacredness, far beyond what are attached to it in this, or perhaps, any other country in the world. And yet, Gentlemen, it is for the very violation of such a promise—nay, one breach of promise after another—attended, too, with circumstances of the most cruel aggravation; with hope protracted, as long as Ilion's woes; with deception and duplicity, as to the causes of the rupture;

with slander and defamation of the unfortunate victim of his perfidy, and of that victim's friends,—that this defendant stands now accused. In any man, be his nativity or his education what it may, such conduct would be base; but in a Scotsman—I need not say an educated Scotsman, for they are all educated—I hold it to be doubly criminal. 'Tis not only truth, honour, morality and justice, but all these, as they exist in Scotland, in a state more akin to perfection than any where else, which cry out for vengeance on the offender.

But, Gentlemen, there is yet a more aggravating circumstance which distinguishes the case of the present defendant. To other characteristics, but too little in unison with the very serious offence of which he stands accused, he adds, that of being —a minister of the gospel—of that gospel, which, before all other good works, inculcates the necessity of discharging our duty towards our neighbour. Not simply a disciple, Gentlemen, but a leader of disciples; one whose own practice should be a brilliant exemplification of the doctrines which he teaches, who should be as a shining light—a pillar of fire—to direct the steps of other men in their pilgrimage through this world of darkness and sin. Nay, more, Gentlemen, the defendant is a minister of what in Scotland is called the Secession Church—a church, the members of which pride themselves on being of a far

purer faith and practice than those of the established or any other church, and whose very secession, as I am informed, arose out of certain conscientious and highly honourable scruples about professing what they did not believe, and promising what they could not perform. Heaven forbid! Gentlemen, that I should in this, or any case, endeavour to excite an intolerant or illiberal feeling. For my own part, I care not for any shadowy and unsubstantial differences either as to tenets of faith or forms of worship; I respect a minister of the gospel equally whether he be clothed in plaid or in purple, whether he wears a mitre in the van of the ascendancy, or journeys like the Apostles without either "scrip or staff." But I do say, that where a minister of any church appears as a defendant in a case like this, in proportion as that church claims to be purer and better, and more exemplary than all others, so much greater must the guilt (if established) of the defendant be. The essence of crime consists but in a knowledge of what is evil, and exactly in proportion as a man is enlightened, must in all cases be the measure of his transgressions.

It is now, Gentlemen, some eleven years and more since this Reverend Gentleman, this ultra pious, pure and professing Scotsman, first paid his addresses to Miss Eliza Dick, daughter of the Rev. Professor Dick of Glasgow, a lady, as I am informed, of very considerable personal attractions, in the

highest degree accomplished, of an unimpeachable moral character, and whose family, as many of you, Gentlemen, must know, yields to none in the Secession Church in point of eminence and respectability. When Mr. Fletcher first owned his love, he was but an humble licentiate of that church, of which Dr. Dick, the lady's father, was, as he still is, one of the brighest ornaments; he had scarce yet reached the age of manhood, and had nothing in the way of fortune to expect from his father, who was a respectable but poor minister in the same connection. Mr. Fletcher was, however, a young man of promising talents, and though not of what is ordinarily called a pleasing address, yet of that ardent and enthusiastic temperament, which is perhaps more calculated to make an impression on the female heart. He succeeded, it is confessed, in winning the affections of Miss Dick, and nothing but his want of means to support a family establishment, stood in the way of their union. At length, in 1812, Mr. F. received a call to be pastor to a numerous and wealthy congregation in London, connected with the Scottish Secession Church; and it was then agreed between him and Miss D., that the marriage should take place in the course of the ensuing year.

Mr. F., however, had scarcely settled in London, before Miss Dick received a letter from him, in which he expressed strong apprehensions that

were he to launch immediately into the expenses of housekeeping, he would be obliged to involve himself in difficulties of a pecuniary nature, the thought of which seemed to weigh heavily on his mind. Influenced by feelings both of affection and prudence—feelings of which I am sure every honourable and ingenuous mind must approve—Miss Dick replied, that she could not think of his running himself into debt on her account, and that notwithstanding their previous agreement, she was willing to wait for a year or two longer, rather than that he should so involve himself.

I have to crave, Gentlemen, your particular attention to the manner in which this proposition on the part of Miss Dick was drawn from her, and to the nature of the proposition itself; for the conclusions deduced from it by the defendant, are such as, I think, you will scarcely anticipate. It is Mr. Fletcher, you perceive, who first starts the objection to the celebration of the marriage, at the time originally fixed upon; and the reason which he suggests for delay is grave and weighty—nothing less than that he will be plunged in debt by so early an union. Who can doubt for an instant that this was thrown out to give Miss Dick an opportunity of saying,—"No, you shall not plunge yourself in debt on my account; I will wait with pleasure till your circumstances are so improved that I shall bring no additional burdens upon you, but what you are prepared and

able to bear?" What other answer could a woman make, who had the interest of the man she loved sincerely at heart? What other answer, if she had the slightest regard to maidenly decency and propriety? What other answer, if not bereft of all prudence, discretion, and good feeling? Would the defendant have had Miss Dick to reply, "No, my beloved Alexander, I am so passionately fond of you, I long so much to change my virgin state, I am so set upon being married next year, and at no other time, that plunge yourself into debt as you may, let the consequences be what they may, *marry me you must*, at the time agreed upon?"

You will be startled, Gentlemen, when I tell you that, selfish, immodest, unreasonable, wild, as such an answer would have been, it is exactly the sort of answer which Mr. Fletcher chose to say it would have been becoming in Miss D. to make. In replying to the letter which did so much honour to her head and heart, he pretended to be sorely hurt by her not pressing for the marriage in the teeth of his objections, accused her of want of affection in proposing a delay, and protested that he had made a vow that the marriage should take place at the appointed time or never!!!

Oh false pretence! Oh cruel accusation! Oh perfidious protestation! Disappointment never felt! Want of affection never suspected! Vow never made! Who is of eyes so dim as not to perceive behind these deceptive outworks a breach

of engagement already meditated, already resolved on at all hazards? Who so simple as to imagine that if Miss Dick had done as her recreant lover affects to think she ought to have done; if she had scouted his objections to the celebration of the marriage at the appointed time,—had laughed to scorn his apprehensions of being plunged in debt,—had insisted on leaping into his arms over all the fences which good sense and good feeling could interpose,—he would not have been just as ready to turn round upon and upbraid her for that line of conduct, as for the better course which she adopted? Had she done so, we should then have been told (and with good reason too), of the selfishness, the unfeelingness, the wantonness, the levity of the woman who could thus set at nought all prudential considerations, in order to gratify her longing for a husband; nor would our ears have ever ceased to ring of the utter unfitness of such a handmaid for so grave, so godly, so gospel-going a personage as the Rev. Alex. Fletcher. The truth, Gentlemen, is palpable—the defendant, from causes which may, perhaps, be hereafter developed, was resolved to break off the match in any event, and it mattered not, as far as his resolves were concerned, what Miss Dick wrote. He was in the situation of the Spanish husband who wished to quarrel with his wife, but was at a loss for a cause; he bade her bring him a glass of water in the sunshine, and then swore it was dirty, because of the motes, which will

appear in the clearest water, when held up to the sun. So it was with Mr. F. : Miss Dick could not have written that letter, in which he would not have found the motes he wanted. I say, unhesitatingly, that the defendant designedly, artfully, and perfidiously led the way to that very proposition from Miss Dick, which he afterwards generously made the pretext for breaking his most solemn engagement to her. I affirm, that by *his* representations, by *his* apprehensions, by *his* fears, he placed, intentionally, this injured lady in a situation, in which—loving as she did—virtuous and discreet as she was—she could not possibly do else than that with which he has the consistency, the gallantry, the humanity, the most christian-like charity, now to upbraid her.

In farther evidence, Gentlemen, of this treacherous design—as if farther evidence were wanting—the defendant caused Jean Fletcher, one of his sisters, who had come with him to London under the pretext of assisting in the preparations for the reception of his intended bride, but, in reality, it would seem, as a delegate from a whole batch of sisters to spoil the match if she could, to follow up his own complaining letter with one still more abusive from herself, although she was personally wholly a stranger to Miss Dick. In the course of my professional practice, I have seen many specimens of epistolary rudeness and impertinence, but any thing more rude and im-

pertinent—any thing more vulgarly impudent than this letter of the sister's, I never read.* Fastening with equal cruelty and injustice on the same ground of quarrel as her brother, she has the effrontery to style Miss Dick's generous and prudent consent to the delay, *suggested*, if not literally *proposed*, by Mr. Fletcher, an assumption of airs "which a countess would not show to a clown," sneers at the idea of a lady of "*her* person, *her* purse, *her* accomplishments," being able to retain the affections of any equal whatever for three years to come, and concludes with chastely declaring, that in the writer's opinion, Miss Dick is as ignorant of the means of doing so, "as Delila was with respect to Sampson, and that she would make the same use of them were they in her power!!"

Gentlemen, after two such letters as these—after so manifest a conspiracy between the brother and sister, to alarm and disgust Miss Dick—to drive matters to such an issue, that the necessity of receding from the connexion might be thrown upon her, can you wonder that such was indeed the result? With the approbation of all her friends, Miss Dick immediately wrote to Mr. Fletcher, that after treatment so ungenerous and cruel, as that which she had just received from his sister and himself, the intended marriage could never take place.

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* See Appendix, B. No. 2.

The defendant, Gentlemen, has been heard to say, affecting the whine of sorrow the while, that it was all Miss Dick's fault that this rupture took place; that it was he who was the rejected, insulted, and injured party; and that his "dear," his "valued" sister, was wholly free from blame in the matter. Could aught else, Gentlemen, be expected from the planner and perpetrator of so base a scheme of domestic treason? Conceived in duplicity and cunning, there only wanted, in order to leave that scheme without a parallel, that it should be consummated by hypocrisy, falsehood, and the most unblushing assurance. But just Heaven be thanked, which has by almost miraculous chance, placed in our hands the means of tearing, to very tatters, the veil by which the defendant would fain screen his infamy from public indignation. I will show him to you, Gentlemen, *exulting* in the success of his vile manœuvre; acknowledging in the most grateful terms the service which his sister had rendered him, in promoting the rupture; slandering and reviling the lady whom he had so cruelly used; and with lips polluted by all this abomination—yes, professingly pure and pious though he be—with lips yet moist with the venom of almost every wickedness—daring to "thank God for his deliverance!" In a letter which he addressed immediately after to his brother, the Rev. Robert Fletcher,* then resi-

* See Appendix, No. 1.

dent in Scotland, and which, through no agency of ours, has recently found its way into general circulation, he says, "The Glasgow business is all over. I am *happy at it, very happy.* I wonder at my past stupidity. JEAN *has done me much good in the matter.*—She sent down to her ladyship two bulletins of a very curious nature,"—alluding, Gentlemen, to the letter which I have already mentioned, and to another, equally insolent, which followed it. "This week I have sent back all the cold, barren, icy letters I ever received from that lumpish, selfish woman, with whom I have been so long enthralled, Thanks to God for the deliverance." * * * * "I think Mr. Dick the most impudent fellow I ever met with. His philosophy has done him little good. I have done with him. I like Alexander and George. The mother is Mrs. Hypocrisy, and Miss D. what you called her on the road to Paisley."

Alas! Gentlemen, when the heart once admits guilt as its associate, how does every honourable and humane emotion fly before it! Surely, surely, it was enough that the defendant had wounded the peace, and, as far as in his power, ruined the prospects of this young lady—that he had lacerated the feelings of her respectable parents,—that he had sent sorrowing and indignation into the bosoms of every one of her family—that he had violated every principle of good faith, honour, and generosity: Surely, it was enough to

have done all this, without adding abuse to injustice, detraction to treachery, contumely to crime—

> Were honour, virtue, conscience, *all* exil'd,
> Was there no pity, no relenting ruth?

No! no! In the very hour of his heartless triumph, when it might have been thought that some lurking spark of affection for a once beloved object, would have quickened into a sentiment of pity for her sufferings,—when a secret sense of the unfair line of conduct he had pursued towards the lady and her family, should have induced him either to soften the blow levelled at their peace and happiness, by every mark of honour and respect in his power,—when a regard to the decencies of life and to his own consistency, should have dictated silence at least respecting the newly discovered failings of those whom he had so lately pretended to love and esteem—you behold him without one commiserating emotion, without one throb of compunction, without one feeling on the subject worthy of a man and a christian. You see, how with more than savage ferocity he mangles the characters of his innocent victims; how the fair form he once professed to admire before all others is transformed in the mirror of his hate, into a selfish lump of womankind; how her highly gifted and venerated father, the author of one of the most able vindications of our Common Faith ever written, is treated as a *fellow* beneath the

notice of this unprincipled violator of engagements—how her aged and pious mother, whom not even the helplessness of female age could save from the malice of this defamer, is decked for derision in his own filthy mantle of "hypocrisy!" 'Tis true these slanders were set forth in an apparently confidential letter to a brother; nay, 'tis possible that it is solely through the indiscretion of that brother, and with no connivance on the part of the defendant, that they have been published to the world. But it is at least equally true, Gentlemen, that whether meant for publicity or not, they present a faithful portraiture of the writer's feelings on the occasion. They lay open to you the whole heart and mind of the man as they really are, and not as he would probably wish them to appear; and in doing so, they vindicate remarkably the consistency of Nature in all her works; for they show you, that when she makes a person vicious enough to commit such enormities as I have depicted, she purposely withholds from him the faculty of being ashamed of them. The *wisdom* of nature, too, for the effect is better, the example less pernicious where guilt stands out, as it does here, in unrelieved originality.

But, Gentlemen, you have as yet heard only one chapter of the volume of perfidy which it is my painful task to lay before you. Would, for the honour of human nature, that that which I have next to unfold were of a description less calculated

to astonish and appal you! But it is, to my mind, of even a blacker complexion than the first. I know of no principle on which I shall be able to account for the extraordinary facts of which it is made up, but one so truly demoniacal, that I shudder at the necessity which I foresee will compel me to consider that principle as the only one by which the defendant could be actuated.

When the rupture, of which I have just detailed to you the history, had begun to fade on the memory; when time and the consolations of religion had nearly healed those wounds which it had occasioned; when almost ten years had passed away, during all which period Miss Dick and Mr. Fletcher had no communication with each other, and never met but once or twice accidentally, the lady, to her great surprise, and the astonishment of all her family, received on the 13th of February, 1823, a letter from Mr. Fletcher, proposing a renewal of their correspondence.* In this letter he requested her to meet him in Edinburgh, where he intended to be in the month of July following; entreated her to write to him "without restraint," assured her that he would "never *(again,* I suppose he meant) betray or abuse" her "confidence and affection," should Providence favour him by making him the object of them; protested that he held her "parents and family in the highest respect

* Appendix, No.

and esteem," and ended with a "God bless you, and bless them!" as fervent, apparently, as if heaved from the inmost soul of hers "*most affectionately*, Alexander Fletcher."

I perceive, Gentlemen, that you are struck with amazement and incredulity at the extraordinary change of tone and sentiment which this epistle displays. "Can it be," you ask, "that the man who broke off his former engagement to this lady in a manner so cruel and contemptuous, could, after ten years of the coldest estrangement, be all at once animated with so ardent a renewal of affection for her as is here professed? Is it possible, that the man who once thanked God so fervently for his deliverance from Miss Dick as from the greatest evil that could possibly befal him, could now, in sincerity of heart, pray to the same God to make him the object of her confidence and affection? Is it for a moment to be believed, that he could now have the "highest respect and esteem" for those parents whom he before so deliberately and grossly reviled? We have no faith, Sir, in such sudden and long-removed revolutions of sentiment as these; they are at utter variance with every thing we know of human nature and her operations; we cannot believe in them." Should I hint to you that it might be from repentance they sprung, you will tell me that "he confesses none." Or, that he was actuated by a desire of repairing the injuries he had inflicted, you will

ask me to show you "where he pleads guilty of having committed any?" His letter, you will insist, is evidently that of a man who thinks there is nothing of which he has to solicit forgiveness. "But could even repentance," you may demand of me, "revive love and esteem after so long a slumber? Could it have the magic power, all at once, to reconvert the "lumpish, selfish woman" —little improved, it is to be supposed, by ten years of withering singleness,—into an object of passionate admiration? Could it, all at once, and without the least renewal of intercourse having taken place, transform "the most impudent fellow" alive, and his worthy lady, "Mrs. Hypocrisy," into objects of the writer's "highest regard and esteem?" Oh! it is from first to last a most incredible story. You cannot expect us—the defendant could not for an instant expect any rational person—to believe one syllable of all that he now asserts."

Gentlemen, I confess that my own impressions coincide very much with what I have ventured to suppose yours to be on the first statement of this truly miraculous conversion. I think with you, that it *is* incredible, that any such conversion ever took place; I do not, for my own part, believe it; I regard this new overture of Mr. Fletcher's as nothing else than sheer mockery. Talk of Catholic miracles! Talk of Prince Hohenlohe, and his conjuring the bed-ridden to walk, the

blind to see! Here is a simple Presbyterian parson who pretends, that by a mere flourish of a goose-quill, he can change aversion into love, deformity into elegance, contempt into esteem! That he has but to wave that goose-quill over embers which have been deadened by the rain and snow and frost of many winters, and they will instantly burst forth into an unquenchable flame; that he has but, quill in hand, to look back and be transformed from a false and recreant lover, into a pillar of constancy and truth! Oh! most puissant of miracle mongers! Go, Catholicism, and hide thy diminished head! Arise, Presbytery—no, I will not do so much injustice to the respectable denomination of Christians, who congregate under its banners, as to suppose that there can be any community of character between it and the impostures of this unworthy brother—let me rather call on MODERN PURITANISM, that puritanism which consists in cant, and pretension, and hypocrisy—in gifts, and inspirations, and inscrutabilities—whose strongholds are ignorance and gullability—whose triumphs are well-filled conventicles, and well-filled pockets—to arise and exult in the unequalled achievements of this her favourite son!

But, Gentlemen, agreed as we seem to be as to the insincerity of this second overture, you feel, I dare say, as I do, some hesitation as to

the motives to which such conduct ought to be ascribed. Were you to ask the defendant himself to explain it on any rational principle, he would confess to you that he could account for it in no other way, than on the supposition that he had entirely forgotten every thing about the first courtship and rupture, and all that he had ever said about the lady and her relations. Should you express your astonishment at such an unheard of failure of memory, he would, with the characteristic humility and piety of the class of religionists of which he is an ornament, further tell you, "that Divine Providence had permitted *this unaccountable suspension of the remembrance of former feelings*, for ends which yet remain to be developed*." But, Gentlemen, you and I, who are but ordinary men, who, in *our experiences*, know nothing of such unaccountable suspensions, cannot help looking for causes more in accordance with the usual course of human actions, even though they should have a little of the leaven of human infirmity in their nature. You will deny with me the possibility (except on a plea of insanity, which is not pleaded) of such an utter oblivion of feelings, touching so serious a transaction in a man's life, as that of courting and jilting a young female, and then heaping the foulest abuse on the unfortunate victim and her family; you

* Vide "Appeal" of the Defendant "to Public Opinion."

will think with me, that if there is justice at all in the ways of Providence (and that there is who can doubt?), an offence of so heinous a description must remain fixed in the memory, beyond the power of time or accident to erase it, till the hour of remorse and retribution arrive; you will, with me, hold it to be a degree of impiety quite monstrous, to suppose that the Deity would suspend, for an instant, the laws of human nature, in order that a minister of His Word might, a second time, trample on those feelings of which these laws are the appointed guardians. No, no, Gentlemen, we may rest well assured that there was no such suspension; that the defendant remembered well the whole history of his first connexion, and wanted, as I have said before, only the faculty of being ashamed of the part he had acted. With that history then in his recollection, thinking as he did of the lady and her friends, what are we to suppose were the motives by which he was actuated in this extraordinary renewal of his addresses? The defendant will call it a libel on human nature, to say that he could have no other view than a second time to sport with the feelings and character of Miss Dick and her family; so should I too, had I heard as much asserted of any individual, before the present case was put into my hands. That there are men, aye, and ministers too, who, for the gratification of a silly vanity, or for the mere pleasure of the chace, go about disturbing the peace of families, by attentions

which mean nothing—male coquettes, in short, the most contemptible, and, at the same time, among the most mischievous of characters—we all witness every day in our lives. But it was reserved, I believe, to the Rev. Alexander Fletcher, to exhibit to the world the spectacle of a man, and that man a minister of the gospel—once wooing and betraying, and then returning, after a long lapse of years, to woo and betray, a second time, the unfortunate object of his heartless pursuit.

Yes! to him was reserved the infamous distinction of having inflicted a blot on human nature, which makes it no longer a libel upon it to say, that it is indeed capable of all the malignity which I have ascribed to the Rev. Alex. Fletcher.

But what, you may ask, could be the subordinate circumstances that cherished and fed this malignity—and which immediately called it into action? Here, Gentlemen, my brief is silent—for it could not speak of what the defendant has carefully concealed within his own bosom; I can but assist you with such conjectures as have occurred to myself, and as may occur to any one on a review of the circumstances of this extraordinary case. It may have been, that after the first quarrel with Miss Dick, her friends, in the honest warmth of their indignation, spread far and wide a knowledge of the defendant's base conduct; it may possibly have happened, that they mixed indis-

creetly with their reproaches, some insidious comparisons between the respectability of the defendant's family, and that which he had so insultingly slighted; and it is not to be denied, that if such things were said and done, they were calculated to be of injury to the defendant; and to excite in no ordinary degree his anger. It may, for instance, have occurred, that when "done with" Dr. Dick, and when "done with" his daughter, Mr. Fletcher went a wooing to others of his virtuous countrywomen—to maids of every complexion and every degree—and that, with the sense of propriety which so honourably distinguishes the Caledonian fair, they may one and all have spurned his suit, with a whisper in his ear, to "remember poor Miss Dick!" It may have come thus to pass, that repulsed in every family, rejected of women, unpitied by the men; a fell spirit of revenge may have been excited in his breast against the individual and family, for whose sake he was become so much an object of general proscription; and that of this spirit we have now the bitter fruits before us.

All these things, however, are but matters of conjecture. I find them not in my instructions; and of my own knowledge, I can of course assert nothing of the real circumstances which influenced the defendant's conduct. I have merely, Gentlemen, stated to you one possible course of events which may have led to it—one of many that might be

imagined—and this solely to satisfy your minds, that though to woo a second time, in order to betray and laugh to scorn an unsuspecting female, be happily a case without precedent, it is one which is by no means without a conceivable motive.

Would to God, the injured object of this inquiry—that her family, had only known half as much of the real state of the defendant's feelings, at the time his second proposition was made, as I have this day, Gentlemen, developed to you! His hypocritical advances to reconciliation would then, I am convinced, have been spurned with all the contempt and abhorrence which they merited. Miss Dick and her family would then have been spared many an additional pang of vexation and sorrow; and this honourable Court would not now be assembled to pass judgment on the double crime which the defendant committed. But, Gentlemen, neither Miss Dick nor any of her family had ever seen or heard any thing of that letter to his brother, which I have read to you today, and which throws such a flood of light on the real state of his sentiments respecting them; they never suspected for a moment that he entertained such sentiments; they only knew that he had once gained, and harshly though he had acted, had never entirely lost a place in the lady's affections; they were willing to believe, that in formerly breaking off the connexion, he had been

swayed by external influences to which he had now risen superior; they were disposed to forget all that was past, in the hope that the future would be rich in atonement. Miss Dick was, accordingly, induced to return a favourable answer to his letter, and thereupon a correspondence ensued, which wanted only sincerity on the part of Mr. Fletcher, to eclipse every thing else of the kind yet divulged to the world for amorous enthusiasm. Were it not that those who are really and fondly in love are proverbially blind, I should have expected that the unmeasured extravagance of his declarations would, of itself, have led Miss Dick to suspect strongly the sincerity of the man who made them. Although her letter, consenting to receive him again into favour, contained the first words of tenderness which she had addressed to him for nearly ten long years; although one bow or two of distant recognition, was all that had passed between them during that period; although for many a day, neither had his eye feasted on her charms, nor his ear been delighted with the music of her voice; yet is it in strains of young and boundless affection like these that he addresses her—" My *dearest* Eliza*, you are closely *entwined round my heart;* you deservedly occupy *the highest place in my admiring estimation.*—I am *your own, my heart is yours;* you *constantly live in my thoughts,* in my *warmest affections,* in my

* Appendix, A. No. 3.

fondest desires, and in my *most animating hopes. I claim you as mine own.* I THANK GOD that ever my thoughts were directed towards you, and that Providence ever directed your thoughts towards *your own Alexander.* * * * * The expectation of living with you *fills me with delight;* and may my God and your God grant, that before many months pass over our heads, that expectation may be fulfilled! It is *my wish, my prayer,* that if Providence spare me to revisit my native land, I may not return alone. My *dearest, dearest* Eliza, *make me happy* by saying in your next, that you *will not* suffer me to return alone, and that you will enter with me on a career which will add to our mutual prosperity and bliss." * * * * * Again,* "You are dear to my heart; *you have devoted yourself to me,* who am infinitely unworthy of such a blessing"—one true saying, by-the-way—"With *longing anticipations* I look forward to that day, when, in the kind providence of God, I shall see my *dearest* Eliza. May I be prepared for meeting my *loving* Eliza, and for enjoying the society of her, whose fellowship *I prize above every other earthly enjoyment beside,* and to render whom happy I shall ever consider as *my greatest earthly bliss.*" I say that even Miss Dick—but that she loved "not wisely, but too well"—might have guessed that there was something overstrained and incredible in all this. But to you and I, Gentlemen, who

* Appendix, A. No. 4.

know besides how the defendant had previously expressed himself—the more confidentially the more sincerely—of the lady, whom he addresses in such rapturous terms,—how he had ridiculed the fair form which he now protests is the object of his "admiring estimation,"—how he had reproached with selfishness the individual to whom he now pours out his song of gratitude for having "devoted herself to him,"—how he had thanked God for delivering him from the very person whom he now thanks the same Almighty Power for having inclined to his addresses;—to you and I, Gentlemen, who know all these things besides, such professions as I have read to you, must needs appear nothing else than an outrage on every sanction both human and divine.

To such lengths did the defendant push his mock suit—for nothing else can I call it—that it was at length fixed, as far as words can fix, that the marriage should take place in September 1823. Miss Dick and the whole of her family regarded it as a matter so absolutely settled, that they announced the event to their different friends and connexions, and commenced the necessary preparations on their side for its accomplishment.

Now it was that the defendant began to bring into play those shuffling expedients, to which, I am convinced, he looked forward from the beginning for his extrication from this second engagement, and the gratification of his revenge

against Miss Dick and her family. Whatever doubts may still exist in some of your minds, as to the possibility of the defendant's being actuated by such desperate *malice aforethought*, I think they must vanish rapidly before the corroborative proofs which now come thick upon us. If what took place before the rapturous protestations which I have quoted, has not convinced every one of their utter heartlessness, what took place immediately after them must surely carry conviction to the most incredulous. No sooner had the time for the marriage been fixed—no sooner had the Dick family committed themselves, as it were, beyond the power of escape from the infliction of the defendant's malice, and the derision or pity of the world—than the defendant, who just the moment before was one of the most longing, straightforward, and resolute of lovers, commences retreating at all points. First, he remembers* that he has never made any intimation of the proposed union to two sisters, Euphemia and Catherine, who had succeeded their elder sister, Jean, in the management of his household, and also, it would appear, in the comptrollership of his affections; he feels that he is bound in equity and gratitude to consult them on the subject; he discovers for the first time, that his duty and affection have come "*in contact;*" but "*trusts*"—mark, Gentlemen, how artfully *uncertainty* begins to be insinuated—

* Appendix, A. No. 4.

he trusts "God will enable him"—see how impiously he drags in Providence to be responsible for his own predetermined breach of engagement—"to pursue effectually that wise course, by which he shall find, by the month of September, his sisters happy in the career of honour and of usefulness, and himself blessed in the enjoyment of his own Eliza." Before, however, there is time for any such "wise course" to neutralise the dreaded opposition of the sisters—exactly ten days after—he finds out quite a new obstacle,* a "melancholy history," which has "*all*" come to pass within that short interval. His brother Robert, the same to whom he addressed the extraordinary letter, which has been of so much service to a right understanding of this case,—who had subsequently followed his brother to this metropolis, and with whom he had almost ever since been at deadly enmity—had, after a few months cessation of hostilities, come anew upon him, "like a roaring lion from Tophet"—assailed him in his house—assailed him in his pulpit—put him in dread of being actually murdered—so that altogether, he felt "completely unfitted" for "carrying on his correspondence" with "his own" "loving," "dear," "dearest," Eliza, any longer. The suspicions of Miss Dick and her family were now, as they might well be, awakened. From this moment, they confess that they

* See letter Appendix, A. No. 9.

did begin to entertain apprehensions of the candour and honesty of Mr. Fletcher's intentions, and were fearful that he was only endeavouring to raise up obstacles to the union, which might induce Miss Dick, as on a former occasion, to put a stop on her part to the courtship. But notwithstanding the strong grounds they had for these suspicions, they prudently determined that they should have more decisive proofs of his intention to break off from his engagement, before they took any step on that idea. Within a day, therefore, after the receipt of the news about the "lion from Tophet," Miss Dick wrote a letter * to the "afflicted Alexander," in which she candidly confessed, that she did not understand (who could?) what he meant by saying that the conduct of his brother completely unfitted him for his correspondence with her; that she sympathised, and the whole of her family sympathised, with him deeply, on account of the afflictions he experienced from that quarter; but that these afflictions only strengthened her the more in the resolution of becoming the companion of his sorrows. Gentlemen, you may know something, andmus have read more, of dead halts, in military operations—of an army, for instance, when in full flight, being intercepted by the blowing up of a bridge over a broad and unfordable stream; but nothing of the kind that you have ever either known or

* Appendix A. No. 10.

read of, can have exceeded, in effect, this judicious countercheck on the part of Miss Dick. She presumes not to doubt that her "loving Alexander" is sorely troubled, but claims that dearest of a wife's privileges—the privilege of sharing his griefs, and, by way of recompense for the moiety left to him, of doubling at the same time his joys. The defendant, who had evidently never anticipated that his "melancholy history" would end in an issue so contrary to his wishes, was like one struck dumb; so completely had Miss Dick met the pretended difficulty in the case, that he knew not what reply to make to her, and therefore replied not at all. As matters, however, could not for his own sake be prudently left in the state to which they were thus brought, he bethought him of a mode of extricating himself from the dilemma in every way worthy of the ingenuity and veracity which have distinguished the whole of his proceedings. "I cannot, to be sure," thought he, "reply to this letter, but I can affect never to have received it; and, if necessary, can deny that I ever did." He writes, accordingly, a third letter* to Miss Dick, in which he takes not the least notice of her last epistle—nay, says not a word about the "melancholy history" which led to it, and which, according to his shewing, had completely unfitted him for any further correspondence—but starts quite a new obstacle to the

* Appendix, A., No. 12.

fulfilment of his engagement. It is no longer the "roaring lion from Tophet" that stands in the path, nor solely his amiable sisters, Euphemia and Catherine, but nearly the whole band of female Fletchers—some ten or a dozen, I believe—that have put their negative on the match. "The aversion" he says, "of my sisters to the intended relation, was what I never dreamed of, particularly after a lapse of ten years. Were this aversion confined to one or two, it might be endured; but when I find it has extended to nearly the whole, I am inexpressibly distressed.—(Perfidious dissembler!)—Could I persuade myself to be willing to be separated from them for life, and that you and I could be happy together with such a separation before our eyes—could my regard to *you* destroy my fraternal affection to *them*, or could I bring myself the length of disregarding both their friendship and their feelings, I would at once, even now, enter into the connexion—BUT I CANNOT."

The receipt of this letter put an end to all doubt in the minds of Miss Dick and her friends as to the real designs of Mr. Fletcher. The effect which the discovery had on the mind of the unfortunate lady, it were vain to attempt to describe. Such was the state of agitation and distress into which it threw her, that she had to leave wholly to others the steps to be adopted in this delicate crisis. Her father immediately wrote

to Mr. Fletcher,* in terms, such as it became a father, alive to the happiness of his daughter, and to his own honour, to write; the letter expressed Dr. Dick's astonishment that any person, claiming the character of a man of sense, spirit, and integrity, could consider the opposition of his sisters as a sufficient reason for breaking off so sacred an engagement as that of marriage; reminded the defendant of the preparations which had been made for his union to his daughter, and of the confident expectations entertained by the lady and all her friends, that it would take place at the time fixed by himself; and warned him respectfully, but firmly, that he must not expect that Miss Dick would, for any reason he had yet stated, be a second time induced to give up her claims upon him.

Such, Gentlemen, was the general tenor of the letter; but it is fit you should hear the case stated in the venerable gentleman's own words; there is an eloquence in this pleading of a father for the rights of his child, to which no abstract can possibly do justice.—"You say that in the present state of your feelings, you cannot enter into the connexion. Your feelings seem to incline too much to one side. Has my daughter *no feelings*? Are you under no obligation to respect them? Is she to be cruelly harassed, and your sisters to be soothed and gratified? * * * * * * * You

* Appendix A., No. 18.

are called to perform your promise; by your honour as a man, and by your character as a minister of religion. What would you think of a man who had twice abandoned the woman whose affections he had solicited and gained, because his sisters did not approve of the connexion, while they could say nothing against her character? If you are at a loss, put the question, I would not say to a christian friend, but to a man of the world. It would be easy to give his answer; but I shall leave it to your own meditations * * * * Hitherto, I have not interfered in the business, but now I am called upon to come forward, and to tell you plainly, that I will not allow the honour of my daughter, and my family, to be trifled with again. With your sisters I have nothing to do; but I have to do with your solemn engagement, and I insist that it shall be fulfilled. You will yourself be convinced, I trust, that every thing honourable and sacred require you to do so. If I am disappointed in this expectation, the affair will not end as it did formerly—for I am determined to take every measure to vindicate the honour of my daughter, and to expose to the public a train of conduct of which there will be few examples upon record."

What think you, Gentlemen, was the defendant's manner of noticing this most reasonable and necessary communication? You have had already but too many proofs of the slight regard he pays

to decency and truth, and yet I am sure you can never picture to yourselves the shameful violation of both, by which he proceeded to bring this eventful history to a close. Will it be believed, that, in a reply * which he sent—not directly and manfully to Dr. Dick himself, but with cowardly circuitousness to the suffering object of his perfidy herself—he had the assurance to feign astonishment at being so addressed, and to be utterly confounded that Dr. Dick should have stept forward at all in this stage of the business! "Astonishment"! Gentlemen, that he should have been called upon to fulfil an obligation of the most sacred description, after he had declared in the most unequivocal terms, that he could not, would not, fulfil it. "Confounded"! that a father should step forward at any stage to protect a beloved daughter from insult and shame—to preserve her perchance from what has been but too often the consequence of such damned perjuries—a broken heart, and an early grave. Oh! it is monstrous, that such unblushing effrontery should, in so moral and enlightened an age as this, be able to find a single hole or corner, where to hide its head from execration and scorn.

But even this, Gentlemen, is but the prelude to much that is a great deal worse. Surely, if there ever be a case where one may presume to suppose that the Deity speaks with the voice of man, it is when a pious and aged father is heard assert-

* Appendix A., No. 14.

ing the rights of an injured and unoffending daughter; and yet—Oh, matchless impiety!—this defendant, this *reverend* defendant, has the daring to assert, that "the language of Providence to him in that letter," is *not* to fulfil his most sacred engagement, but to "*pause*," "*pause!*" I confess, Gentlemen, that when I came to this part of my instructions—shocked as I had been by the frequent liberties taken by the defendant in the course of the preceding details, with the name and attributes of the Divinity,—I felt the very life's blood freeze within my veins. 'What,' said I, 'must I not only expose the perfidy of this man to his fellow-creature, but must I exhibit him in the accursed act of attempting to make an all-just Providence a partner in his iniquity? Of mere breaches of faith and honour, and of some that were bad enough, I had heard before; but what was I to call this, which insulted both God and man; which tore up the every foundations of human nature, and hurled its fragments at the sacred altar, as if to bury religion beneath the ruins of society? Oh! it is guilt that might put a demon to the blush. The very devils, we are assured, believe and tremble—believe in the justice and goodness of the Most High—and tremble whilst they believe.'

The conclusion to which the defendant comes, is such as you might expect—the only one, in truth, that you could reasonably expect from premises

so flagitious. You have seen, Gentlemen, how determinedly, and in what various ways the defendant had declared that he could not fulfil his engagement to Miss Dick; but you have yet to learn what this last letter informs the lady,—that there had never, after all, been any change in his views! (in *one sense*, I am convinced, there never had,) and that it was neither his angry sisterhood, nor the "roaring lion from Tophet," that led him to break off the connexion, but "the *last* epistolary intelligence from Glasgow," which had "produced *a change—a total revolution in his views*, which solely dates its origin to *that cause*." I do not believe, Gentlemen, that the whole annals of audacity can furnish any thing exceeding this, in brazen-faced assurance. The way in which the defendant contrived to throw the breach of his first engagement on Miss Dick, is venial when compared with it. In the former case, Miss Dick *was* provoked to do that which, literally interpreted, gave her the appearance of discarding the defendant; but, in the present instance, nothing whatever of the kind takes place. Every attempt which the defendant makes to provoke a similar dismissal, is met by renewed protestations of the lady's willingness to share his fortunes, whatever they may be; every thing on the part of Miss Dick and her friends, is marked by a steadfast resolution of keeping to the engagement; the defendant is at his wits' end for a pre-

text for the final rupture; and for lack of a better, turns round on his pursuers, and coolly says, "Well, since nothing will frighten you out of the match—neither my brother's conduct, nor the opposition of my sisters—I must now tell you, that the manner in which you have insisted on my fulfilling my engagement, is so 'repulsive and threatening,' that, for that reason and no other, I cannot, and will not, fulfil it. I have succeeded in putting you out of temper, at any rate, and should be omitting to take the benefit of my own wrong, were I not to make that want of temper, and that alone, my apology for having nothing farther to do with you." Am I not right, Gentlemen, in saying that such conduct as this, is without a parallel? Can I be wrong in challenging the counsel for the defendant to show me any thing like it in all domestic history—any thing half so base, shameless, and unprincipled? But why do I attempt to give characterizing lineaments to a species of infamy, which it is not in the power of language to describe? It would require, in order to do it justice, a language that has words to parch and wither and destroy whate'er they light on.

Gentlemen, my part of this day's proceedings is nearly done; yours is about to commence. You have heard the tale of the defendant's double treachery; its commencement, its progress, and its aggravations. Can it, do you think, admit of

justification, or of palliation? I have heard it rumoured, that the defendant does intend to plead one or the other. I know, indeed, that in his flight to the ignominious oblivion prepared for him, he has already made more than one pause to fling his Parthian poison on the justice that pursues him. But I do hope, that in the presence of this venerable court, in the hearing of this enlightened and virtuous jury, he may yet be deterred by some remaining sense of shame, from the sort of defence which I have been instructed to anticipate. The defendant, I am told, has asserted,* and is prepared again to assert, that the second correspondence was not commenced by him, but originated in an overture on the part of Miss Dick, and that having been so indelicately drawn into it, he is the less culpable for breaking it off. I am instructed, Gentlemen, to state, that a fouler lie was never uttered. Miss Dick, never after the first rupture, wrote a single line to Mr. Fletcher, till he had written to her, and solicited a renewal of the correspondence. In one of the Parthian Pamphlets, which the defendant has addressed to the public on the subject, he has the boldness in one place to assert, † that "such evidence will be given in another part, as to prove, beyond the possibility of a doubt, that such a communication *was sent to him* by the lady;" but

* Appeal to Public Opinion, p. 21.

† *Ibid.*

though I have examined with care every succeeding page of this veracious production, I have not been able to discover the slightest trace of any such evidence. The only thing I have met with that bears on the point, is the following curious note:—"It is true, I solicited the second correspondence, but it is also true she wrote to me after the conclusion of the *first*." Yes, but *when*, most honest Alexander? "*After* the conclusion of the first," certainly, but not till after you had also *solicited the renewal of the correspondence*. Such is the astounding amount of that evidence which was to place, "beyond the possibility of a doubt," the fact of the first overture having proceeded from the lady; a vile and despicable quibble, not worth even the slight notice which I have now taken of it, but of quite as much weight, I dare say, as any thing which you will hear offered to-day, in support of what, on the authority of this brief, I again pronounce to be a foul and odious lie.

Gentlemen of the jury, I now leave the case with perfect confidence in your hands. I confess I am not sorry that it is one of such unmixed and thorough depravity. When an individual has laboured so diligently, as this defendant has done, to reflect dishonour on the country which sent him forth on a message of goodness and peace, as well as on the sacred order of which he is an unworthy member; it is well that there is no chance

of any sentiment of compassion arising to intercept or mitigate the signal vengeance which is necessary to vindicate the one and purify the other. When an individual has displayed so cruel and wanton a contempt, as this defendant has done, for the best feelings of others, it is well that there happens not to be a single feature in the whole of his conduct, which can make you regret that you have it in *your* power to teach him what it is to feel both acutely and permanently. The guilt which you have to punish, has in it a feature of almost every crime under heaven; it seems as if the defendant had, on the broken tablet of the decalogue, whetted the dagger for the social assassination, which he has committed. Gentlemen, you convict for obtaining goods under false pretences; here is a man, who, by means of the falsest protestations, has swindled an innocent and confiding female out of her chief treasure—her affections, and repaid her only with cruelty and scorn. You convict for treason; here is the vilest disloyalty to the gentlest of all dominions—that of friendship and love. You convict for homicide; here is the hand that has murdered family peace. You convict for blasphemy; here is the name of the Deity invoked again and again—by one, too, who ministers in his temples—to sanction the most damning violations of truth, honour, and good faith. Gen-

tlemen, I call on you by all your obligations, public, private, moral, and religious—by the hearth profaned—by the home made sorrowful—by national character tarnished—by the canons of the living God impiously contemned,—to mark by your verdict this day, your horror at this unequalled complication of iniquity. And believe me, that when the hand that records that verdict shall be dust, and the tongue that asks it traceless in the grave, many a happy home and well-tended flock will bless its consequences; many an anxious father will still point to the immortal lesson which it taught,—that to be faithful to one's obligations, is still the surest way to lasting happiness and honour.

Evidence for the Prosecution.

Mr. Chitty then proceeded to examine the following witnesses for the prosecution:

Mr. Alexander Dick.—You are acquainted with the defendant, the Rev. Alexander Fletcher?—Yes; I have known him since I was a boy, and, at one time, was in habits of the closest friendship with him.

That was, I believe, when Mr. Fletcher was a student at the university of Glasgow?—Yes.

Was Mr. Fletcher a frequent visitor, at that time, in your father's family?—He was.

In what capacity did he visit?—As a friend.

Was it not as a suitor to one of your sisters?—Not for a considerable time, certainly. I know that, from the first, he evinced a strong regard for my sister, Eliza, but two or three years, at least, must have elapsed before he was looked upon in the light of her suitor.

When he at length professed himself her admirer, did your parents approve of his addresses?—I cannot say that they approved of them entirely. They left my sister

to decide for herself; but as Mr. Fletcher was a very young man, and without any fortune or settlement in life, they recommended, I believe, that she should delay, for a time, forming any definitive engagement with him.

When were they considered definitively engaged?—Not sooner, I think, than the end of 1811, or beginning of 1812; it was after Mr. Fletcher had received a call to London.

Were they to have been married in 1812?—No, not in 1812; but, in the summer of that year, Mr. Fletcher paid a visit to Glasgow, when it was finally arranged, that the marriage should take place some time in the following year. Mr. Fletcher was to be occupied in the meanwhile, in making preparations for the reception of my sister.

Did your sister receive any communication from Mr. Fletcher, shortly after his return to London?—Yes; she received a letter from him, in which he stated a number of difficulties with which he found himself unexpectedly surrounded. He mentioned, in particular, that he would have to build a house, and for that purpose to borrow money, the idea of which seemed to give him great distress.

What answer did your sister return to this letter?—She wrote to him, that he ought by no means to run himself into debt on her account, and that it would be better to defer the marriage for a year or too longer.

What reply did Mr. Fletcher make?—He replied in a very dissatisfied, upbraiding, and categorical manner, that he had formed a resolution, or made a vow,—I forget which—that the marriage should take place at the appointed time or never, and he accused my sister of want of affection in proposing any delay.

Was your sister also favoured, about the same time, with an epistle from Jean Fletcher, the sister of the defendant?—She was: with a very abusive and scurrilous one.

Was your sister previously acquainted with this lady?—No; she had only heard of her from her brother.

What effect had this letter on your sister?—She felt that she had been used most unhandsomely and cruelly, both by Mr. Fletcher and his sister; and therefore signified to him that she must decline any farther correspondence.

Was this with the approbation of her family?—Yes; with the approbation of every one of us.

Did the correspondence after this cease entirely?—Yes, entirely.

It was renewed, however, I believe, some time after. Can you tell us at what period?—In 1823.

Had your sister no communication during the ten years that intervened with Mr. Fletcher?—I may say none whatever. She met him once at a promiscuous party in Glasgow; and once shook hands with him, upon accidentally encountering him in Edinburgh; but with these exceptions, she had no farther intercourse with him.

It was Mr. Fletcher, of course, who made overtures for a renewal of the correspondence?—Yes; on the 13th of February, 1823, my sister received a letter from him, soliciting an interview with her in July following, when he intended to be in Scotland on a mission from the London Missionary Society, and that she would, in the meantime, correspond with him.—[Produces the letter.*]

Did your sister consent to renew the correspondence?—Yes.

What happened after this?—After a number of letters had passed between them, it was at length agreed that they should be married when Mr. Fletcher came down to Scotland. September was fixed by himself.

Have you any of these letters with you?—Yes.

Produce them.

Witness produced two letters from the defendant of the 22d of May, and 13th of June, 1823.†

Was the marriage now considered as a perfectly settled affair in your family?—Yes; it was. We looked upon it as a matter absolutely and unequivocally fixed. All our friends and connexions were informed of it; and some of them have told me, that they actually purchased articles intended as marriage presents to my sister.

Did your sister receive a letter some time in June, 1823, from a Mrs. Jean Pirie, of London, warning her that Mr. Fletcher was likely to encounter some opposition to his wishes, on the part of his sisters?—Yes.—[Witness here produced the letter, with Miss Dick's answer.‡]

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* Appendix A., No. 2. † Appendix, Nos. 3 and 4.
‡ Appendix, Nos. 5 and 6.

And within a few days after, did she receive a letter from Mr. Fletcher himself, mentioning that on another account entirely, namely, the conduct of his brother Robert, he felt himself completely unfitted for carrying on the correspondence any longer?—She did; the letter, which I have with me, is dated the 23d of June.—[Produces the letter.*]

What answer did your sister make to this communication?—She expressed herself at a loss to comprehend why the conduct of Mr. Fletcher's brother should be any obstacle to their union, and pressed for the fulfilment of his engagement. No copy of her letter was preserved, but I have here a statement of its contents, written and attested by my sister.—[Produces the statement.†]

When did your sister hear again from Mr. Fletcher?—Not till the 7th of July, when she received a letter from him, in which he dropped all allusion to his brother's conduct, but said, that in consequence of the aversion of his sisters, he could not enter into the connexion.—[Produces the letter.‡]

Your sister, I dare say, was much hurt by the defendant's conduct?—She was, indeed; nothing could exceed the state of distress into which it threw her.

Did your father then interfere?—Yes; he felt himself imperiously called on to do so. On the 7th of July, he wrote to Mr. Fletcher, insisting that he should fulfil his engagement; and intimating, that if he did not, the affair should not end as it had done before.—[Produces a copy of the letter.§]

Did Mr. Fletcher make any reply to this letter?—No; not to my father, at least. On the 17th of July, however, he wrote an angry letter to my sister, in which he affected great surprise and displeasure at my father's interference, and stated, that on that account alone, he could no longer think of the connexion.—[Produces the letter ‖.]

Did your sister write to Mr. Fletcher, at all again, after the receipt of his letter on the 7th of July?—Yes, once again, two days before she received the letter I have

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* Appendix A., No. 9. † Appendix, No. 10.
‡ Appendix, No. 12. § Appendix, No. 13.
‖ Appendix, No. 14.

last mentioned, of the 17th of July—it was a last appeal. [Produces a copy of the letter.*]

Did Mr. Fletcher make any reply to it?—None.

What proceedings were then adopted?—In the beginning of August, I came to London for the purpose of seeing Mr. Fletcher personally, and coming to a definite understanding. All my attempts, however, to obtain an interview with him were unavailing; and the only satisfaction I could obtain, was a long letter from him, in which he attempted to show, that he had done nothing in the affair with my sister, but what conscience and duty required, and offered to submit his conduct to any two ministers in Scotland or England.—[Produces the letter.†]—I returned for answer, that his letter contained only a repetition of former excuses; that I saw it was not his intention to act honourably to my sister, and that I therefore considered myself and my friends at full liberty to take measures to vindicate her rights.—[Produces a copy of the answer.‡]

Cross-examined by Mr. Scarlett.

You have said, that you do not think there was any definitive engagement between your sister and Mr. Fletcher, sooner than 1811 or 1812, after Mr. Fletcher had received a *call*, as you term it, to London, and that it was agreed this marriage should take place some time in the following year. Are you quite sure that there was no earlier engagement?—I do not believe there was any; as far as my own knowledge goes, there was not.

Did you never hear that, even *after* Mr. Fletcher had obtained a comfortable establishment in London, and *after* your sister had agreed to take him for better and for worse, she declined having him, not because she had any objections, but because his relations were not respectable?—I never did; Mr. Fletcher's relations are highly respectable.

You have mentioned a letter which Miss Jean Fletcher wrote to your sister—What notice did your sister take of it? I do not mean to Miss Fletcher, but to her brother. Was it in some such terms as these:—"Sir, I have just received a letter from a woman calling herself Jean

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* Appendix A., No. 15. † Appendix, No. 17.
‡ Appendix, No. 18.

Fletcher. Who is this woman, who is in possession of this minute statement of facts? No doubt some miscreant walking the streets of London. Who gave her this minute statement of facts? Is it the honourable man whom she calls her brother? If she is *your* sister, thank God, she shall *never* be mine."

I have heard my sister speak in very indignant terms of Miss Fletcher's letter; and I have no doubt that she expressed her mind on the subject to Mr. F., but that it was in such terms as these I do not believe.

You have told us, that when Mr. Fletcher started certain difficulties in 1813, your sister wrote to him, proposing that the marriage should be deferred *for a year or two longer*. Will you swear, Sir, that the words she used were not something like these, that "if poverty came in after marriage, it ought to be borne; but to run into it with her eyes open, was a thing she was resolved not to do; that she was, at present, in the bosom of an affectionate father's family, in affluence and comfort, and that she meant to consult *her own interest*, and remain where she was for *three years to come?*"

I will swear, that I do not believe my sister ever wrote any thing of the kind.

Mr. Chitty submitted, that if the defendant meant to found any thing on these letters, he was bound to produce them.

Chief Justice.—Most certainly.

Mr. Scarlett.—Let us only be on equal terms. The substance of several letters has been sworn to by this witness, which have not been produced though received by Miss Dick.

Chief Justice.—Yes, brother Scarlett; but then there is no denial that these letters were sent, and that the witness's statement of their contents is correct. You pretend here to quote passages of

a very extraordinary tenor from certain letters of Miss Dick; and the witness swears he does not believe she ever wrote any thing of the kind. Surely, the only way to settle the point, is to produce the letters themselves. Is it not strange that you do not?

Mr. Scarlett.—We may have our reasons for not producing them.

Chief Justice.—Yes; and it is on that very account, that we ought to pay no regard to what you say of their contents, till you do produce them.

Cross-examination resumed by Mr. Scarlett.

You have stated, that you came to town in August, for the purpose of coming to a definitive understanding with Mr. Fletcher, but could not obtain an interview with him. I wish to know, Sir, whether Mr. Fletcher was the first person, in London, you applied to on the subject, after your arrival?—I arrived in London on the evening of Saturday, the 2d of August; and, on the 3d, being Sunday, I sent a note to Mr. Fletcher, announcing my arrival, and soliciting an early interview.

Come, Sir, no fencing with me; you know very well that this is no answer to my question. But to assist your comprehension a little, I will put it in a different shape. Pray, Sir, *who* delivered the note to Mr. Fletcher, of which you have just spoken?—One of the managers of his chapel.

Oh! one of his managers. So then, you went to his managers first of all, and told them, I suppose, a fine story about the conduct of their minister. I should not be surprised if you showed them some of the pretty love-letters you have produced to us to-day?—I did.

And that you thought perfectly delicate and honourable?—Yes; under the circumstances in which I was placed. I must beg leave to explain. The first of Mr. Fletcher's managers I saw was Mr. Pirie, the husband of the lady who wrote the warning letter I before mentioned to my sister. He told me that Mr. Fletcher's

friends in London knew little of the affair between that gentleman and my sister, beyond what they had gathered from Mr. Fletcher and his near relations; but that, if a Mr. M'Crone, a brother-in-law of Mr. F.'s, might be believed, it was my sister who commenced the second correspondence, and had, in fact, made a tender of her hand; and that if Mr. F. himself might be believed, he had never fully committed himself with Miss Dick. I felt naturally indignant at statements so contrary to the truth, and, I believe, told Mr. Pirie, that I was sure he must have misunderstood both Mr. M'Crone and Mr. Fletcher, for that they never could have said any thing so false and injurious. Several of Mr. Pirie's fellow-managers, however, came to me afterwards, and confirmed every word he had said. One of them, in particular, mentioned, that on pointedly questioning Mr. F. whether he had gone so far as not to be able to retract with honour, Mr. F. answered, that he did not think he had at all committed himself. What then was I to do? Not only was my sister wounded in her feelings—

Mr. Scarlett.—No arguing, if you please, Sir,—leave that to my learned friends and me. Confine yourself to facts. What *did* you do?

In justice to my sister, I showed such extracts from Mr. Fletcher's letters, as served to contradict in the most direct manner, his qualified account of his engagement, and the assertion of Mr. M'Crone, that my sister had offered her hand.

When was this? Was it *after* you had made every endeavour to see Mr. Fletcher himself, but in vain?—No; it was on the Sunday immediately after my arrival.

What! the very day after you came to town, and before you had even announced to Mr. Fletcher that you had arrived?—Yes.

And this you call acting in a way likely to accomplish your object! You came to town to try and settle matters, personally, with Mr. Fletcher, and before seeing him, expose his confidential letter to your sister!

I did not conceive that any delicacy towards Mr. Fletcher should prevent me from exhibiting his own written refutation of the calumnies which he and his friends had been the means of circulating against my sister.

CHIEF JUSTICE.—But pray, Mr. Scarlett, what has all this to do with the question of the breach of promise? You are examining the witness as to circumstances which all occurred posterior to the defendant's refusal to fulfil his engagement, and which, you are aware, can furnish no palliation of that offence.

Mr. SCARLETT.—I have done, my Lord.

Examined by the Jury.

By Sir WALTER SCOTT.—Pray, what were the ages of your sister and Mr. Fletcher, when the former proposed, in 1812, to defer the marriage, as you say, for a year or two longer, or, as the defendant says, for three years? I think it is of some importance to ascertain this, for we all know "with whom time gallops withal."

Mr. GALT.—Or, as our country proverb, Sir Walter, says, that "dochters and dead fish are nae keeping ware."

They were about the same age. Mr. Fletcher would, at the end even of three years' delay, not have been more than twenty-five.

By Mr. THOMAS MOORE.—Was the attachment, on the part of your sister, a very ardent one?—I thought, extremely so.

By Mr. THOMAS CAMPBELL.—Had she conquered that attachment after the first rupture, or did she still look forward to the possibility of a reconciliation?

Mr. ROGERS.—My friend means, did she indulge in the *Pleasures of Hope?*

I think she did; her affection for Mr. Fletcher was certainly never wholly eradicated.

By Mr. ROGERS.—And she still, I presume, feels keenly the injury which had been done her?

Mr. CAMPBELL.—My friend means, Sir, that *Memory* has no *Pleasures* for her.

It has not.

By Mr. KIRKMAN FINLAY.—What was in the lass's head, or in yours, Sir, or your father's, either, that made ye listen to the callan a second time? Sure, ye might

hae kent better than to expect ony good to come o't. Did your mither never tell ye, that 'tis shame fa' the man that cheats ye ance, but shame fa' *yoursel* if he cheats you twice?

We thought that, in the first instance, Mr. F. acted under the influence of his sisters, and did not blame him so much as them.

Mrs. Pirie, wife of Mr. John Pirie, merchant, London, examined by Mr. Chitty.

Are you acquainted with the defendant, the Rev. Alexander Fletcher?—Oh, I ken him weel; it was my Christian preevilege, Sir, to be under his meenistry for the feck o' twal years or mair. My gudeman was treasurer to his congregation, and a manager forbye.

Do you recollect of Mr. Fletcher's consulting you about some difficulties that had come in the way of his marriage with Miss Dick, of Glasgow?—Fu' weel do I. I'se tell ye a' about it. An intimate frien' o' ours, and o' the meenister's too, ane Mrs. Dykes, cam to me on Sunday, the 15th o' June, at the skailing o' the kirk, and told me the meenister wanted to speak to me. On this, I gaed into the vestry, when Mr. Fletcher trysted me to meet him on the Tuesday following, as he had something very particular to say to me. Sae, to be sure, I met him on the Tuesday—ye'll no be for speirin' *whar*, I suppose?

Mr. Scarlett.—Oh yes, good lady, let us have all about it.

Weel, since I maun tell ye, I met him at the house o' my *gudeman*. (*A laugh.*) Mrs. Pirie, says he, I ken ye to be a godly and discreet woman, an' ane wha has a great frien'ship for your meenister. I would trust you aboon ony body I ken in a' Lunnan. I'm come, therefore, to open my mind to you about a very delicate piece of business. Ye maun ken, that about ten years bygane, I was in luve wi' a dochter o' Dr. Dick's o' Glasgow, and about to be married till her, whan my sister Jean, wha didna like the leddy, wrote her sic a *deeabolical* letter, that the leddy flew aff in a rage, and wad hae naething mair to say to me. Howsomever, we've lately forgathered again, and it 's a' settled that we shall be married in September; but here's what I want your advice about. My sisters, Phemy and Kate, have fand out what is gan forward, and are so dour about it, that I'm afraid they'll be writing Miss

Dick as Jean did before, and spoil a' a second time. Now what d' ye think, my dear Mrs. Pirie, should be dune in this distressing perdicament? Wad ye be for reasonin' wi' the lassies? "Reasonin' wi' them," said I, "set them up wi' reasonin', indeed, what right hae they to be reasoned wi' in the business? Canna their brother think for himsel? I'll tell ye what, Mr. Fletcher, I'd advise you to do. It maybe wadna luke just sae weel for you to be writin' to Miss Dick ony ill about your sisters, but you can get some frien' to write to the leddy in confidence, telling her how ye stand wi' them, and warnin' her no to mind ony thing they may tak it into their heads to say anent the business." "My conscience! Mrs. Pirie," said the meenister to me, "but that's an excellent thought—I kent you would advise me for the best. "And now, mem," says the meenister, "if you would only be yoursel the kind frien' that wad write the letter ye sae discreetly recommend to Miss Dick, I wad be mair behaden to you than tongue can tell." "Atweel I'se do that," says I to the meenister, "and be unco glad to render ye sic a service; Miss Dick is o' a braw family, and it's a connexion will do you meikle credit."

And so you did write to Miss Dick on the subject?—Troth, I did; a letter enteerely o' my ain composin'. My gudeman did nae ken a word about it. And when I sent a copy o't to the meenister, by our frien', Mrs. Dykes, he said that naething could hae been better dune*—Na he went and put it into the post-office himsel.

Did Miss Dick send any answer to your letter?—D'ye think she wad hae been sae uncivil as no to do that? She wrote to me, beggin' me to accept her warmest thanks for my frien'ly letter, and saying, that a' that Mr. Fletcher's sisters could say or do, should hae nae influence whatever on her mind.

Did you show that answer to Mr. Fletcher?—I sent it out to the meenister, the moment I received it; and the neist time I saw him, he gave it me back, observin', by the way, o' Miss Dick, that her answer was written just like hersel.

Had you any farther correspondence with the Dick

* Appendix, A, No. 5.

family?—I had another letter, a few days after, no frae Miss Leezy Dick, the meenister's intended, but frae Nelly Dick, her sister; and eh, Sirs! sic a letter! I couldna, Sir, believe my ain een when I read it. To think that my gude and pious meenister could be guilty o' sic dupleecity! Wad you or ony body believe it, Sir, it turned out, frae what Miss Nelly Dick said, that after a' I had been saying, her sister had received a letter frae the meenister, in which he said naething at a' about the rumpaging o' his twa sisters, but pretended that on account o' the pranks o' his madcap brither Robert, he could nae mair think o' carrying on the correspondence wi' Miss Dick ony longer, than o' fleein' in the air! Now ye maun ken, Sir, that a' thae pranks about which the meenister made sic a fuss to Miss Dick, had happened afore he opened his mind to me, as he pretended on the subject, and yet he never ance mentioned that they were ony obstacle—as how could they? to his marryin' the leddy! Weel, Sir, I was sae confounded to think that the meenister should play fast and loose in this way,—saying ae thing to me, and anither to Miss Dick—makin' a fule o' the young leddy, and o' me too, as it war—that I ran, at ance, into the countin'-house to my gudeman, and tell'd him the hale story. And surpreez'd he was, ye may be sure, to hear it. "Oh!" said John, "that sic a chief in God's Israail should ever hae behaved sae. Alas! how is the gold become dim, how is the most refined gold changed! We must ca' a meetin' o' some frien's, my dear, and see what's to be done to preserve the meenister, if possible, frae sae waefu' a backslidin'." We sent, accordingly, for twa ither o' Mr. Fletcher's maist intimate frien's, and went owr a' the particulars o' the case to them, whan it was agreed among us, *nemine comine*, as my gudeman says, that the meenister was wantin' to begowk the young leddy, and that as frien's to him, and members o' his congregation, it behoved us to remonstrate wi' him on the subject. And sae they deputed me—being in a way preevileged to speak to him about it—havin' made me his confident, ye ken—to do what was proper on the occasion.

Did you see Mr. Fletcher, then, on the subject?—Yea; meeting him in the vestry-room of the kirk, I told him what sort o' letter I had received frae Miss Nelly

Dick, and how surpreezed we a' war, that he should think now o' breakin' aff his engagement. I expostulated wi' him a' that I was able, and entreated him to conseeder weel the consequences, baith to the leddy and himsel, if he did nae do as honour and duty requeered o' him. "O say nae mair aboot it," said the meenister, at length and lang, "I'll no deny, but what I'm bound in honour and conscience to marry the leddy, and God knows I like her weel. I was just writing a letter to her, to set matters a' right again; but I was ca'd awa' in the midst o't to speak a word o' comfort to Tam Langlands, the miller, wha's now, puir sinner, reapin' a crap o' his ain sawin; but I'll hae it finished, and sent aff by the morn's post"—and sae we parted.

Do you know whether he ever sent the letter which he promised to do?—Na, I am sure he never did. Whan doon in Scotland, some time since, seein' my frien's, Miss Dick told me, that every letter she received after that, was mair unkind and cruel than anither.

Cross-examined by Mr. Scarlett.

Do you remember, Madam, receiving a letter from Mr. Fletcher, about the beginning of July, 1823, saying that he wished to have no more of your interference in this affair?—Atweel he did; his note was dated the 3d of July; but ye's tak this alang wi' you, Sir, it was written on the same day that he wrote a letter to Miss Dick, putting an end to the affair athegither.

Examined by the Jury.

By Mr. Galt.—If I may be sae bauld, Mem, as to speir, is it the custom wi' folks o' your persuasion, to sit in conclave in the way ye hae described, on the sinfu' doings of their neighbours?—Atweel is it.

What! ev'ry little bit o' sculduddery that ye can lay your han's on?—Ay, Sir, ev'ry thing affecking the peurity o' ane's life an' conversation!

Gude guide us, leddy, ye maun then be a very godly people, or ye hae a great deal to do!

Nae that meikle to do either, Sir, nor sae very godly, I am wae to say.

But how d'ye contrive, Mem, to punish your evildoers?—O, fu' brawly, Sir! First, ye see, we admonish them; neist we rebeuk them; and gin a' that winna do,

then we excommunicat them—turn them out o' the fauld, as it war—and *keep* them out till they repent o' their sins, and show themselves deservin' o' bein' restored to kirk preevileges.

But surely, Mem, ye dinna veesit ev'ry little prank a man mae be guilty o' wi' sic severity as this. Not that I wud ca' Mr. Fletcher's a mere prank, but, for example's sake, noo; suppose I war ane o' your persuasion, and that, by way o' frolic, I war to write a beuk—I write beuks, ye ken—which might be ca'd no just the thing in a religious point o' view, wad I be taken owr the coals for that, and rebeuked before a hale congregation?—Troth, wud ye, Sir! And if I'm no mista'en, there's a gentleman near you can tell you frae his ain experience something about it.

Wha do you mean, Mem?

Mr. Blackwood.—My stars! my Lord, what has a' this to do wi' the case in han'?

Mr. Galt.—Be quiet now, Bailie, and ye'll see—I was speirin', Mem, wha ye meant?

Just Bailie Blackwood himsel, Sir.

Mr. Blackwood.—Had I kent this——

Mr. Galt.—You wudna hae come here, I suppose, Bailie. But go on, Mem.

Iv'e nae wish, Sir, to gie offence, but I'm sure the Bailie minds weel hoo he was ta'en in hand for makin' a mockery o' the Haly Scriptures in his Magazine, and how they wudna bapteeze his bairn till he stood in the kirk to be rebeuked for his sinfu' conduct.

Wud ye mind the name o' the thing ye speak o', Mem, were I to tell you 't? Was it the *Chaldee Manuscript?*—The vary same, Sir.

Weel, that's strange! I never kent till noo, that my frien', the Bailie, was the author o' that wicked production.

Haud a wee there, Sir! I wasna saying he wrote it. —*Him* write it!—He's but a Bailie.—(*Great laughter.*) —Na, na; it was written, as I have heard, by some of the waefu' wags o' writer chiels and sang-makers that come about him. But then ye ken it was the Bailie wha pooblished it, and, what is war, he pooblished it just to put a leetle siller in his pouch. Did ye ever hear o' sic sacrelege?

And has the Bailie, Mem, since he stood on the stool for this heinous offence, been restored to his kirk pree-vileges wi' you?—Restored, Sir! Aye was he, and had his bairn bapteezed like a dacent Christian. But I 'm thinkin' his repentance hadna been just as sincere as he pretended. For sune after, he seceded frae our connexion, and now I dinna ken that he belangs to ony persuasion ava.

Mr. Moore.—A pretty connexion yours is, Ma'am, for a literary man to belong to! I should like to know how many writers of note you have amongst you?

Hoo mony writers o' note amang us! Let me see: the pious and godly Ralph Erskine 's ane, and the saunted Mr. Brown o' Haddington 's anither—but stay—now that I mind, baith they great men are dead; and it 's about leevin' worthies ye're speerin', I reckon?

Mr. Moore.—Yes, Ma'am; name us some living worthies, if you please.

Weel, there's Dr. Jameson.

Mr. Moore.—A mere dictionary-maker.

And Dr. M'Crie.

Sir Walter Scott.—Forgive me, Madam; the name of Dr. M'Crie is one which does honour to Scottish literature; but you forget that the Doctor has refused to have any connexion with your Associate Synod.

There 's no denying that, Sir Walter; but ye ken the Doctor 's o' the Secession kirk for o' that; a thrivin' affshoot, as it were, o' the parent tree. But lettin' alane the Doctor, and forbye Dr. Jameson, there's the gude Doctor Dick himsel, and the Rev. Mr. Langgrace, o' Kittlemacuits, whase Cordial for Contrite Spirits has been my bosom companion for mony a year, and the Rev. Ebenezer Sampson, the famous poet.

Mr. Moore.—Ebenezer Sampson, the poet! I never heard of such a name.

Mr. Campbell.—Nor I.

Mr. Rogers.—*Psalm*son, I suppose, the witness means. (*A laugh.*)

And there's John Inverarity, ruling elder, whose book on Ceevic Economy, as my gudeman tells me, dings your Doctor Chalmers a' to pieces; and Elspeth Sangster, the author o' the Hillside Melodies, and the Rev. Mrs. Klishmaclaver, whase Sunday Nights Conversations, I'm sure,

can never be too heighly preezed; and the great Doctor Ogle——

Mr. Moore.—Enough! enough! Ma'am. An enlightened persuasion truly that has such a host of illustrious names to boast of! Its Sampsons, its Sangsters, its Klishmaclavers, and its great Doctor Ogle! O blessed effect of Presbyterian inquisition!

Mr. Rogers.—I think a good deal of time has been wasted (very pleasantly, to be sure) in examining this witness about what is very little to the purpose. I must trouble her, however, with one question, farther, which I wonder has escaped my friend, Mr. Moore.—Pray Madam, do any of the *Fudge Family* belong to your connexion? (*A laugh.*)

Na, na, Sir; we're a' Solemn League and Covenant folks.

Mr. Blackwood.—As my name (dag on 't!) has been very onnecessarily dragged into this buziness—and for the same I canna say I 'm muckle behaden to my frien' Mr. Galt—I maun beg leave to offer a few words by way o' explanation. It is vary true I was mysel a seceder yince, and that the bigotted bodies made me stand on the stool for my consarn wi' that piece o' deevilry, the Chaldee Manuscript; but it's no true, as the gude leddy here asserts—God forgie her!—that I pooblished it merely to pit money in my pocket. You a' ken, I suppose, that it was Jamie Hogg, the loon, that wrote the thing; (for which, and mair forbye that shall be nameless, the cutty-stool wud hae suited him a hantle better than me.) But it's quite oonknown hoo I was plagued and teazed by Jamie and the lave at Ambrose's before I wud gie my consent to its appearin'. I did nae muckle mind the shepherd's threatenin' to tak' his sheep in future to Newcastle (though, to be sure, there 's few better comes to Embray), nor yet Colin the tiger's threat to make a Saugur pie o' my carcase gin I refused; nor even a hint frae the Ensign aboot bein' a flae in my lug as lang as I leeved. But whan the Doctor (dag on 't!) told me that if I wad nae print the arteecle, he wad get Wadsworth to mak me the hero o' his neist six volumes in quarto. Oh graashious! I could stand out nae langer. I tauld the Doctor that rather than be buried alive in that way, I wad consent to ony thing he liked. An' this, believe me, Gentlemen, is the real and true account o' the matter. . . .

Mr. John Pirie examined by Mr. Chitty.

You were for some years, I believe, one of the managers and treasurers of Mr. Fletcher's congregation?—I was for a good many years.

And on terms of intimacy with Mr. Fletcher?—Of great intimacy.

Do you remember of hearing, some time in the month of June, 1823, of a projected marriage between Mr. F. and Miss Dick?—I do; I heard of it from my wife early in June, and was extremely glad to receive the intelligence. It appeared to me a most desirable union, in every point of view, and one which was sure to give satisfaction to the whole of his congregation.

Did you think the match would be equally agreeable to Mr. Fletcher's own immediate relations?—I had soon every reason to believe, that it would be quite the reverse. I found that his sisters, who resided with him, were endeavouring, by all possible means, to prevent the marriage, and that Mr. F.'s relations, generally, were much averse to it. About the middle of June, I received a letter from Mr. M'Crone, a brother-in-law of Mr. Fletcher's, requesting me to procure the settlement of some money matters between Mr. F. and his sisters, previous to the intended marriage, of which he took occasion to speak in very harsh terms.

Do you know what were the objections of Mr. Fletcher to the match?—As stated by Mr. M'Crone, the chief objection was, that the lady had, many years ago, rejected Mr. Fletcher with scorn, and ill-treated his relations; and that when unable to do better, she now came forward with the offer of her hand, which Mr. F. was silly enough to accept.

Did they object to the connexion as a disreputable one?—Oh, by no means! Mr. M'Crone owned, that it was quite the reverse, but, objected to the Dicks, because, as he said, they thought "more highly of themselves than all the Fletchers or M'Crones on earth."—(*Laughter.*)—"Consequently," said he, "I consider Mr. Fletcher a lost brother to us all!"—(*Much laughter.*)—

Have you that letter with you?—I have.—Produce it.

[Witness produced the letter.*]

What answer did you make to Mr. M'Crone?—I told

* Appendix, A, No. 7.

him, that if Mr. Fletcher had committed himself in any degree to the young lady, and in consequence of the interference of his sisters, or any relations on earth, should draw back—from that moment I should fear his usefulness as a minister, and his character, as a man, would be at an end.

Did Mr. M'Crone make any reply to your letter?—Yes; he replied, that if Mr. Fletcher had entirely, of his own accord, brought matters a certain length, it would, indeed, be "drawing back to perdition," were he not to fulfil his engagement; but, if, as fame reported, the lady made the first advances, in that case, he thought Mr. Fletcher's drawing back might admit of explanation. (*Produces the letter.**)

Did your wife, about the same time, inform you of a correspondence, on the subject, which she had with Miss Dick and her sister?—She did.

[The witness was then examined at length, touching the subsequent particulars already detailed in evidence, by Mrs. Pirie and Mr. Alexander Dick, all of which he fully confirmed.]

Cross-examined by Mr. Scarlett.

Besides what you have told us, Sir, of your answer to Mr. M'Crone, did you not say to him, that if Mr. Fletcher refused to marry Miss Dick, you would place yourself *in the front of the battle against him?*—I did say I would do so, but only in the event of its turning out that Mr. Fletcher had so far committed himself, that he could not retract with honour.

And so you were pleased, Sir, of your own mere will and authority, to constitute yourself champion of this forsaken damsel, and generalissimo of the battle array against your late friend and pastor. I dare say now, Sir, you will tell us that it was by a sense of duty alone that you were actuated, and that there was nothing, in the least, meddling, officious, or impertinent, in all this?—It was, Sir, by a sense of duty, alone, I was actuated. When the obligations of Christian fellowship are so flagrantly infringed, as they were in this case by Mr. Fletcher,—

Not so fast, if you please, Sir, that is a point which we have to put to the Jury, yet, with your leave.

Appendix, A., No. 11.

Well, but I may state, I presume, what my own impressions were. I, for one, thought that Mr. Fletcher had behaved in so unchristian-like a manner, that it became the duty of every honest man to take part against him.

And you kept your word, I believe?—I am not in the habit, Sir, of doing otherwise; notwithstanding I sat so long under Mr. Fletcher's ministry.

You kept in the front of the battle, I mean?—I have never shrunk, Sir, from doing my duty.

It was you, I believe, who employed the solicitors, who conducted certain legal proceedings, which were instituted by Miss Dick's family, against Mr. Fletcher?—It was.

And it was you who showed Dr. Dick the letters which Mr. M'Crone, in the full confidence of friendship, addressed to you respecting this business, and which were made the chief pretext for these proceedings?—It was; but permit me, Sir, to explain. Mr. M'Crone had stated, in so positive a manner, in these letters, that Miss Dick made the first advances to the second correspondence with Mr. Fletcher, that I was led to repeat the same as a matter of fact to several persons, and, on its being solemnly denied by Miss Dick and her family, I could not do else than give up my author. Mr. M'Crone should not have told me what was false, and I would not then have been under the necessity of exposing his correspondence.

Examined by the Jury.

By Mr. Galt.—I am no satisfied at a' wi' ony o' the motives I've yet heard suggested for Mr. Fletcher's extraordinary conduct in this affair; and I want to see whether this witness can help us to get at the bottom of it. Frae Mr. Pirie's lang intimacy with Mr. Fletcher and his sisters, he will be able, I dare say, to solve me this question. What is their *weak* point? Is it ambition, vanity, family pride, or what?

A mixture of the whole three, I believe. I never knew any persons more conceited and lofty in their notions. Mr. Fletcher, if he might be believed, has the blood of the royal race of Bruce in his veins, his great grandfather having been a "descendant, not remote, of the famous Andrew Fletcher, of Salton, whose mother was a Bruce.*"

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* See Appeal to Public Opinion.

Sir Walter Scott.—"A descendant, *not remote*, of his great grandfather!" Why, the man must be cracked to talk such nonsense. Andrew Fletcher, of Salton, did not die till after the Revolution, when this remote descendant of his must have been, also, with one foot, or both, in the grave.

I am only repeating, Sir, what I have heard Mr. Fletcher, and his sisters too, boast of; not that, for my own part, I paid much heed to what they said.

Mr. Galt.—Weel, I suppose Mr. Fletcher thinks himself a worthy scion of the illustrious stock with which he is pleased to claim alliance?

Oh! I don't believe he thinks there 's his *match* in all the Secession Church.

I am jalousing there'll be mair than himsel o' that opinion before a's done. And pray, how has he the conceit to think he ranks amang the shining lights o' this metropolis?

Oh! Sir, far above them all. He fancies there 's nobody of half his talents, or qualified to do half so much good. He calls his station, one of the most important "ever occupied, by any minister, in this vast metropolis;" and says, that his coming and reception here, form an æra in ecclesiastical history, which is without a parallel since the days of the apostles!!!*

My certy! that's modest. But can you tell me how it fares wi' the outward man, amid a' this mental exaltation? Is he hamely in his apparel, and o' a humble deportment? Or fond o' purple and fine linen, and o' showing aff his person to advantage?

Rather showy, I should say, in his dress, and vain of his person: he is fond of telling the ladies, that though he cannot pretend to the wit of Æsop, he has not, thank God, the distorted figure of that far-famed Phrygian.

Now I begin to guess how the win' blaws. But tell me further, Mr. Pirie, did you ever hear any complaint made of the manner in which Miss Dick, and her family, spoke of Mr. Fletcher, and *his* family, after their first rupture?—Yes; I certainly have. Miss Dick or some of her friends are reported to have said, that Mr. Fletcher was a match far beneath her, and that it was a great stretch of conde-

* See Appeal.

scension in her, to have any thing to say to him. And from the way in which both the minister and his two sisters used to speak of the Dicks—of their holding their heads high, and so forth—I am sure that they felt sore about the reports which were abroad.

But can you recollect naething a wee mair preceese, Mr. Pirie, on the subject? Ony expressions o' Mr. Fletcher or his sisters to the exact effect ye hae stated?

I do recollect now, of one of the sisters,—I forget which—saying, in a company of friends, some time after Mr. Fletcher had got into his new chapel, "I wonder what Miss Dick would say now? Sour plumbs, sour plumbs, I fancy, as the tod said when it could not climb the tree."

Mr. Robert Fletcher examined.

Mr. Phillips.—Our chief purpose, my Lord, in examining this witness, whom, for obvious reasons, we produce with extreme reluctance, is to show, that there was really no ground for making his conduct, the pretext for the second breach of engagement. The hostility between the brothers was an old story, and one in which, I suspect, the unfortunate gentleman, now in the witness's box, will be found more sinned against than sinning.

Mr. Chitty.—You came to London, Sir, I believe, in the year 1818, for the purpose of settling here?—I did; in the month of October, 1818.

Did you expect that your brother, Mr. Alexander Fletcher, would assist in putting you into a way of doing for yourself and family?—I did; but was grievously disappointed.

Did he do nothing whatever towards forwarding your views?—Nothing whatever.

Never lend you any money?—Not a farthing. I know he has given out that he did, but it is not true. Some time after my arrival, he offered to purchase a right which I had to a legacy of 200*l.*, on the death of an aged relation, and I agreed to assign it to him for 100*l.* But when I executed the assignment prepared by his solicitor, instead of receiving down the 100*l.* as I expected, I was told that I could draw it as I needed it, from time to time. I consented to do so, and whatever sums I re-

ceived from him, after coming to London, were all on the credit of this account.

It is not perhaps true, either, that he furnished you with assistance in the shape of provisions from his farm, such as eggs, poultry, &c.?—Yes; he did furnish my family with some supplies of that description, and, at first, I thought they were brotherly presents, for which I felt disposed to be duly grateful; but on reckoning with him for the legacy, I found the prices of these articles regularly charged against me.

Then you had no gratuitous assistance whatever from your brother?—None. The only gratis thing I ever received from him was a great deal of ill-will, of which I could never divine the cause.

Was there not some property bequeathed to you and your brother and sisters by an uncle, about which you rather molested him?—There was. My brother and my sister Jean had contrived to get the whole management of it into their hands, and none of the rest of the family had been ever able to obtain any count and reckoning with them. Now, therefore, that I was on the spot, and found that I had so little to expect from my brother's friendship or generosity, I thought it but right to press for a statement of my uncle's affairs, the more especially as I had every reason to believe there must be still a large sum due to me out of the estate.

Did your brother then refuse to give the statement you required?—He did; for two long years and more, I made application after application to him, both personally and by writing, and always in the most polite and decorous manner, but was invariably put off with some frivolous apology or other. At last he would not even notice the letters I wrote him on the subject; and when I called at his house, he was not to be seen. My wife, thinking that she might perhaps be received better, then tried to obtain an interview with him; but she too was repulsed in the rudest manner from his door. I next endeavoured to procure, by the intercession of mutual friends, what was denied to my own entreaties. Dr. Waugh, of Well-street, and Dr. Allidge, of Homerton, both spoke to him in my behalf. To the former he would not listen at all, and to the latter he would give no other answer, than that I had already received (which was not true) out of my uncle's estate more

than was my due. A third friend, Mr. Burr, then wrote to him, requesting, in the politest manner, that he would give some more specific explanation on the subject; and, not receiving any answer, wrote a second time to the same effect. I have here the letter which Mr. Burr at length received from him — (*Reads*)—"Mr. Fletcher presents his compliments to Mr. Burr, and informs him, that he will not receive any more letters from him. Mr. F. hopes that Mr. B. will not lay him under the necessity of returning him any of his notes. Homerton, Dec. 3, 1821."

You were a good deal irritated, I dare say, by this obstinate silence of your brother's?—I was. It stung me to the quick, amid a thousand difficulties I had to encounter in London, to find what I conceived to be but simple justice denied me by a brother; and in the height of my vexation and distress, I was guilty of some excesses towards him, which I now sincerely deplore, but which were not perhaps without their apology in the conduct that provoked them.

In consequence of these excesses, I believe he caused you to be sent to a mad-house?—Yes. Although, happily, he did not succeed, as he seemed desirous of doing, in driving me really mad, he caused me to be forcibly seized, and committed to an asylum for lunatics at Hoxton, where I remained immured for nine days, to the infinite distress of my family, and the utter destruction of a school which I had by great exertions established. But so little ground was there for this cruel proceeding, that, while treated and confined as a lunatic, my brother actually proposed to liberate me if I would go out as a missionary to teach the gospel to the heathen; and after I had spurned this base proposal, the keeper of the establishment was so satisfied—not, however, by that alone—of my perfect sanity, that he set me free on his own responsibility, without waiting to ask my brother's leave.

You certainly, however, must have *frightened* your brother: for in a letter which he wrote about this time to Miss Dick of Glasgow, to whom he was then under a promise of marriage, he says, that for two years and more your iniquities, and crimes, and outrages, had "wrung his heart with anguish;" that he had been living in the constant dread "of being murdered by you;" and that

"in the very pulpit" he had been alarmed with the fear of your destroying him?

All fudge, Sir, raw head and bloody bones! My brother was *not* frightened; he only wanted to frighten others. He had no fear, God knows, of being murdered by his brother, whatever he may himself have done to murder that brother's peace and happiness. I have been guilty of outrages, it is true,—outrages provoked by his own cruel conduct;—but of *crime*, no man, not even my brother, can accuse me. "I am not mad, most noble Festus, but speak the words of soberness and truth."

But you are aware, of course, that your brother says *you* were the sole cause of his not fulfilling his second engagement to Miss Dick?—Yes; so he was pleased to assert at one time, while at another he chose to give my sisters the credit of that achievement. I don't believe, however, that any of us had the merit of sticking that feather in his cap. My sisters may have flattered his vanity by saying he looked well in it; but I am persuaded that even *their* influence, great as it is, extended no farther.

Were you too of opinion that he looked well in it?—Oh, quite the reverse! As far as ever I had any thing to say in the matter, I urged the fulfilment of his engagement.

You refer, of course, only to the first engagement?—Yes, to the first engagement, at which time I was on terms of intimacy with my brother.

Do you remember what reason your brother gave *you* for breaking off the match in that instance?—Yes: I have brought with me a letter which he wrote me on the subject, from which you will see that he had somehow or other become disgusted with the lady and with her relations. (Produces the letter.*)

He alludes, I see, in this letter, to something that you called Miss Dick on the road to Paisley: have you any recollection of the expression he refers to?—None; I am sure that I never spoke of the lady otherwise than in terms of respect.

Cross-examined by Mr. Scarlett.

Were you not, Sir, in consequence of your repeated

* Appendix, A, No. 1.

attacks on your brother, bound over to keep the peace towards him?—I was; because, whatever might have been the ill-usage I received from my brother, I had no right to resort to such means of seeking redress.

Did you not bring an action against your brother for putting you into the mad-house; and did not the evidence turn out so strongly against you, that your counsel, by the advice of the learned judge who presided, consented to your being called?—He did; but I am not the first honest man, Mr. Scarlett, who, by the stupidity of his lawyers, has lost a good cause.

Nor your lawyers, Sir, I suspect, the first that have had more of a rogue than fool for their client.

Examined by the Jury.

By Mr. Galt.—D'ye ken, Sir, ony thing about what the Dicks said o' your brither and his family after the first breaking aff o' the marriage?—I remember it was reported throughout our connexion, that the Dicks pretended that my brother had been discarded, because he was not a fit match for the lady.

Do you know if these reports reached the ears of your brother and sisters?—Yes, they did, and incensed them all exceedingly.

Who was the uncle that left you the property you have spoken of?—Mr. Gilfillan, of Dunblane.

Sir Walter Scott.—What! my old friend Habakkuk, the gifted Gilfillan?—No; but a worthy descendant of his, who stood up as sturdily as ever Habakkuk did "for the standards of doctrine as agreed on by the ance famous Kirk of Scotland, before she trafficked with the accursed Achan."

Mr. Galt.—Was the property which he left considerable?—It could not have been otherwise, Sir; for he was always reputed to be rich, and never had any family of his own; but as I have never been able to obtain any account of the estate, I cannot tell what may have been the exact amount. My sister Jean, who was with her uncle when he died, and my brother Alexander, took all into their own hands, and did with it as they pleased. Two of my brothers-in-law, who lived in the neighbourhood, on hearing of Mr. Gilfillan's death, hastened to his house, and proposed, as is usual, to seal up the repositories of the deceased; but Jean, who was in sad grief, to be sure,

could not be brought to listen for a moment to such worldly doings. She rated them well, as I have heard, for showing, at so trying a moment, such carnal and secular affections; and told them plainly that they did not listen as they ought to the voice of *the dispensation!*

Was your uncle the heir o' the gifted Gilfillan?—He was.

And inherited a' the gifted's "sma' means," his "twenty thousand mark," his "land about Mauchlin," and his "real Lancashire" "breed o' cattle?"—The whole.

Nae doubt then your uncle maun hae left a gude lock o' siller; and is it true that ye hae no touched a plack o't?—Oh! some hundred or two I have received, but not, I am sure, the one half of what should be coming to me by rights.

Sir Walter Scott.—Can you tell me, Sir, what has become of my friend Habakkuk's broadsword, pistols, and large blue bonnet?—I remember of seeing them in my uncle's house at Dunblane, but where they are now I cannot tell.

Mr. Scarlett.—I shall inquire of my client about them, Sir Walter, and if in his possession, I am sure it will not be long before they are added to the interesting collection at Abbotsford.

Sir Walter Scott.—Mr. Scarlett, that is more than kind.

Mr. K. Finlay.—It 's downright bribery, I 'm thinkin'.

Sir James Mackintosh.—But bribery without corruption, I'm sure.

Mr. Reardon, Solicitor, London, examined by Mr. Chitty.

Were you present, Sir, in the Court of King's Bench, on the 4th April, 1824, when there was tried an action for breach of promise of marriage, Dick against Fletcher?—I was. My partner and myself were attorneys for the plaintiff.

Do you recollect what statement Mr. Scarlett, as counsel for the defendant, made to the court, with respect to the manner in which the correspondence between Mr. Fletcher and Miss Dick was commenced?—Yes, perfectly. Mr. Scarlett said, that lest any rumours should have gone abroad that Miss Dick was not wholly sought by his client, he was *authorized* to take that public method of declaring, that in earlier life she was sought and pursued by him, and that when prosperity in later years be-

gan to brighten on him, she was still the object of his ardent affection. The connexion, Mr. Scarlett repeated, was first sought by Mr. Fletcher, and not by Miss Dick.

Mr. Phillips.—We have now, my Lord, closed the case.

THE DEFENCE.

Mr. Scarlett.—My Lord and Gentlemen of the Jury,

My learned brother, Mr. Phillips, told you, in the course of his most eloquent harangue, that this was a very extraordinary case; and certainly nothing on his part has been wanting to make it appear so. Had it been the father of all sin himself who was arraigned before you, for enticing our great mother Eve into the commission of that unfortunate *faux pas* which entailed death and misery on all her posterity, he could not have said more about it and about it, or spoken with loftier vehemence than he has done, of the very ordinary offence (for, after all that can be said, it is no more) with which the very humble individual who is my client stands accused. Had it been, indeed, against the author of all our woes, that the thunder and lightning of my friend's eloquence were levelled, we should then have been able to understand why "the whole social family" should be summoned to witness the conflict, and why religion and morality should put up their prayers for the success of this champion of human nature. We should then have heard, without astonishment, of "whet-

ting daggers on the broken fragments of the decalogue," of "blushing demons," and of "diabolical treacheries." But to hear such magnificent things gravely enunciated respecting the hapless loves of any two mere mortals that ever lived, is, to say the least of it, Gentlemen, exceedingly ridiculous. I am afraid my young and highly gifted friend has yet to learn (what, I doubt not, your verdict this day will teach him) that it is very possible to make too much even of a good thing, and, by aiming at too great an effect, to miss even the little which might have been reasonably anticipated. Extraordinary the case certainly is, Gentlemen, though, for reasons very different from any which my learned friend has offered to your consideration. It is a case brought before *you* after it has already been decided, over and over again, in courts civil and courts ecclesiastical, and therefore it is extraordinary; it is a case depending on the unprincipled disclosure of confidential letters, on the evidence of brother against brother, and therefore it is extraordinary; it is a case in which there is no satiating, as it would seem, the vengeance of the offended parties, in which nothing short of the utter ruin of the unfortunate delinquent will appease them, and, therefore, beyond any other case that ever came under my observation, it is extraordinary. Most truly, Gentlemen, has my client styled himself "a partridge hunted on the mountains." He is indeed hunted—hunted to the very

death—and in interposing myself between him and his now open-mouthed pursuers, I trust I shall at least have the sympathy and encouragement which is due to an act of common humanity.

My learned friend, taking, as usual, a wide sweep with his arms as he proceeds, has been pleased to drag in the nativity and education of the defendant as circumstances calculated to *aggravate* the guilt of which he is accused, inasmuch as the notions and habits of our northern neighbours, the Scotch, in all that relates to matters of love and matrimony, are, according to him, the very purest that ever existed. I admit, Gentlemen, that both nativity and education have an important influence in determining a man's ideas of right and wrong; but I must insist that no more be ascribed to them than is their due. I believe no one can deny to the Scotch the character of a well-informed, clever, clear-sighted, calculating, and moral people; but to quote them as authorities in affairs of the heart, is, to me, something new. My learned friend described to you with truth how easily the marriage connexion is established amongst them, and how careful, of course, their young men are not to take the leap till they have looked over the hedge; but he forgot to tell you of one or two deductions from his state of things, which make it somewhat doubtful whether it is just the happiest under heaven. He would have stated but a notorious fact, had he informed you, that the matrimonial bridle which

the young ladies of Scotland carry so constantly in their hands, and the apprehensions which the ease with which it may be slipped on, as constantly inspires, have introduced a degree of cunning, artifice, and trickery, into the intercourse between unmarried persons in that country, which exists nowhere else in the world. Of open, gallant, generous, and confiding courtship, such as we Southerns delight in, the Scotch know nothing: making love is, with them, all an affair of finesse and stratagem, of long and roundabout marches, feints and ambuscades, mines and countermines. The usual mode, as I have been told, by which these lovers of the kilt make their approaches—indeed the only *safe* mode they can adopt, as matters are managed among them—is, to affect to care *least* for the lady they admire *most*, and to omit no convenient opportunity (the more public the better) of saying what they think will nettle, or doing what they are sure will annoy her. It is in this open and manly way, Gentlemen, that they arrive at a knowledge of the tempers and dispositions of the ladies that are to make them happy for life, before they venture on those closer friskings and gambolings which bring them within the reach of the matrimonial noose. Need I suggest to you, Gentlemen, what must be the corresponding effects of this system on the Caledonian dames? What else can you reasonably expect than that dissembling should be met by dissembling, artifice by artifice, plotting

by plotting, cautious manœuvring by a still more cautious calculation of chances, till the whole affair between the parties is reduced to a mere matter of bargain, in which the heart has little or no concern? So universally characteristic, indeed, of the Scottish people, are these things, that it has even passed into a proverb among the nations, that "biting and scratching is Scotch folks' wooing." Glorious distinction this, for a high-minded and gallant nation! Blessed effect of that primitive state of things which, dispensing with all "empty ceremonials," as my learned friend is pleased to call them, substitutes the guardianship of the tooth and nail for proclamation of banns and holy rites! Oh, happy people, among whom it is with husbands as with wild colts—the only difficulty is, the difficulty of catching them! Other nations may be as brave, and, ere time runs its course, may yet be as learned and as virtuous as the Scotch; but the nation exists not, and never will exist, which can hope to rival them in the art of wooing. Here, positively, is a distinction which they share, and can share, with no other people on the face of the earth, and to find any resemblance to which, we must quit the paths of human life entirely, and travel into the domains of other tribes and other families of the animal world. Of one of those tribes—the dread of mice, and favourite of old maids—we do find it said, as the proverb says of the Scotch, *los amores del gato, vi-*

nendo entran; a saying which a satirist of our own country has thus happily paraphrased:

> Their friskings, crawlings, squall, I much approve,
> Their spittings, pawings, high-raised rumps,
> Swell'd tails, and merry-andrew jumps,
> With the wild minstrelsy of rapt'rous love.
>
> How sweetly roll their gooseberry eyes,
> As loud they tune their amorous cries,
> *And loving, scratch each other black and blue!**

Behold, Gentlemen, a true and genuine picture of the real state of things produced by that want of form and ceremony, and the consequent want of ingenuous confidence which my learned friend has made the theme of so much misplaced eulogium. Behold the national effects of not fencing round the married state with such a regular line of fortifications——

Mr. Rogers.—*Curtain*-works included, I suppose, Mr. Scarlett? (*Laughter.*)

"I thank thee, Jew, for teaching me that word." Yes, *curtain*-works included, that no one without the pale need be under any apprehensions of stepping over, through carelessness or mistake. Behold, Gentlemen, what we should change to, were the prayers of my learned friend to be heard, that the practices of Scotland, the "exemplary country," as he calls it, were to become objects of universal imitation. May I not say, Gentlemen, with the poet,

* Walcott.

England, with all thy faults, I love thee still,
My country! and while yet a nook is left,
Where English minds and manners may be found,
Shall be constrained to love thee.

But what, it may be asked, has all this to do with the case before us? I must leave Mr. Phillips, Gentlemen, to answer that question. I have but followed in his devious track; not from fear of any injury that could arise to my client, had matter so extraneous been passed over unheeded, but from a feeling that so much, at least, was due from me, in vindication of the institutions and practices of the country to which I have the honour to belong.

My learned friend, Gentlemen, has told you that another very aggravating circumstance in the case of my client is, that he is a minister of the gospel, and of a sectarian persuasion, which claims credit for being of a purer faith and practice than the established or any other church. I own, Gentlemen, that it would have been well for my client, had he been of any other sect or persuasion under heaven than the one alluded to. He might then have had some chance of having his errors treated with Christian charity and tenderness; he might then have found, in the sweets of forgiveness, the reward due to a genuine repentance. He would not then, Gentlemen, have belonged to one of the most narrow-minded, inquisitorial, and persecuting sects that I do believe ever existed. He would

not then, Gentlemen, have been twice tried and twice punished for the same offence; once at the suit of the party offended, and a second time at the suit of parties who had no pretence whatever for interfering in the business, but a base desire of scanning the faults of an erring brother. He would not then, Gentlemen, after submitting to a verdict in one Court, for the sake of bringing an affair, unpleasant to all parties, to an honourable termination, have seen his letters—letters which ought, that instant, to have been given up to him—eagerly seized on by the emissaries of a priestly inquisition, in order to found upon them a new proceeding in a different Court, aiming at nothing less than his utter destruction. It makes no part of my duty this day, Gentlemen, to stand up for Episcopacy, in opposition to Presbytery; but I cannot help saying, that if, as this Associate Synod pretends, it is Presbytery in its purest state—if such be the sort of interference with the private and secular concerns of individuals which Presbytery sanctions—if such be the sort of jurisdiction which Presbytery exercises over its members—then I do say, rather let me see Episcopacy, with twice as much state, and twice as large revenues as it ever possessed, upheld and perpetuated in our land, than that the day should ever come, when freeborn Englishmen shall fall under so degrading a dominion. Most fitly, Gentlemen, did one of your number inquire of one of the witnesses, whether a sect, the spi-

ritual rulers of which take such cognizance of the sayings and doings of its members—a cognizance so intolerable, that not even a stray piece of harmless burlesque in a magazine can escape punishment at their hands—boasts of any writers of eminence? A surer test does not exist of the rationality and worth of any system of belief, than the degree of encouragement which it affords to the cultivation of letters. It is chiefly the great difference, in this respect, which makes the Protestant so much superior to the Catholic religion; it is the influence which Protestantism has had, in awakening the national intellect, and stimulating it to those exertions which have brought us such a harvest of renown, that constitutes one of its best claims on our gratitude and fidelity. You must have been struck, Gentlemen, with the forcible illustration of this important truth, which was furnished by the answer of the witness. Of names of writers belonging to her sect, she gave you a plentiful store; but scarcely one could she mention that is of the slightest eminence in the literary world. I see my learned friend, Mr. Phillips, smiles—ungallantly smiles, at the idea, I suppose, of resting the literary character of any party on a blue-stocking authority. But I appeal to the personal knowledge of more than one distinguished individual of the Jury whom I have now the honour to address, whether all the wigs in the Associate Synod, and all the wise heads which they adorn, could have exhibited a fuller or fairer

picture of Burgher and Anti-Burgher literature than was furnished by that sensible and well-informed witness, Mrs. Jean Pirie.

I have spoken, Gentlemen, of this Associate Synod, as if my client felt that he had been harshly and cruelly used by them. It is true, he feels so, but I believe I have strayed a little from my instructions in making it a matter of complaint against them. "Whatever others may think of such proceedings," says my suffering client, "I at least can have no right to complain. I knew the sort of discipline to which I subjected myself when I voluntarily became a member of their body. I knew that should I ever become an object of their wrath, I could never suffer more than the son on whom, to the disgrace of humanity, they once upon a time imposed the unholy task of excommunicating his own father." *

But, Gentlemen, it is now time I should enter a little more closely into the merits of this case, as it regards the breach or breaches of promise of marriage of which my client is accused.

I mean not to deny that in both instances Miss Dick was sought as well as won by my client. If Mr. Fletcher himself has ever thrown out any

* Alluding, it is presumed, to the case of the Erskines. The father, who was excommunicated, met the son who excommunicated him, as he was returning from the performance of this filial duty. "Ah," said the father, "it is now some forty years since, I was returning, about this very time of day, from dedicating you to the Lord, and now what do I behold? That very son returning from dedicating his father to the devil"!!!—*Reporter.*

insinuations to the contrary, it must have been when under the influence of some momentary provocation; for it is quite true, as stated by one of the witnesses examined this day, that when Miss Dick brought her action in the Court of King's Bench, the defendant's deliberate instructions to me were, to acknowledge, most fully and unreservedly, that the lady's affection was wholly sought by him.

But, Gentlemen, I hold it to be just as certain and true, on the other hand, that in the first of these instances it was the lady thus sought and won who discarded the gentleman; and that in the other, no breach of engagement would have taken place, had that lady and her friends only behaved towards the defendant with common fairness and discretion.

That it was Miss Dick who broke off the connexion in 1813, is indeed distinctly admitted; nor can I sufficiently express my surprise at the attempt which is now made to cast the blame, which justly attaches to her on that account, on the shoulders of my client. My learned friend would have you, Gentlemen, to believe, that Miss Dick was artfully inveigled into the quarrel by certain discourteous and irritating proceedings on the part of Mr. Fletcher; and that, in fact, she could not have done otherwise than she did.—But what right, Gentlemen, has Mr. Phillips, or any one, to assume that such was the secret object of my client? And if you throw this, which

is all mere assumption, out of the case, what is there in these proceedings which could justify the course Miss Dick adopted? After it had been finally agreed that the marriage should take place in 1813, she chuses to propose that it shall be deferred for three long years, and because my client, as I am sure any man of ardent feelings would have done in his situation, expresses displeasure with the cold calculating spirit which apparently dictated that proposition, and because an affectionate sister, with more zeal than prudence, happened to interpose some words of remonstrance and rebuke, Miss Dick is pleased to fly into a passion, and to declare that the marriage never shall take place! Is it possible, Gentlemen, to say that any thing had occurred here, which could justify Miss Dick in bringing matters to so abrupt, harsh and vindictive a conclusion as this? A promise of marriage, I need not remind you, is just as solemn and binding a thing on the part of a lady as it is of a gentleman; and the reasons for justifying or excusing a breach of it, ought to be equally cogent, whether it is the one or the other who commits it. That we may see, then, clearly the value of Miss Dick's apology in this instance, let us suppose, for a moment, that she had changed parts with Mr. Fletcher; suppose that it had been Mr. Fletcher who proposed to Miss Dick to delay the marriage for three years; that Miss Dick had complained with warmth, nay, with anger, if you

please, of the coldness which the proposition indicated, and that some kind sister had lent the aid of a good scolding to quicken the lover's resolution, what, Gentlemen, would then have been the judgment of the world, had Mr. Fletcher chosen to fly into a passion with the ladies for their innocent importunity, and declared that since they had behaved so, and for no other reason whatever, the marriage should never take place? Would not every person have pronounced his conduct to have been pettish and unreasonable in the extreme? And if you would have said so of Mr. Fletcher, can you say less of Miss Dick for being really guilty of that sort of conduct which you would have reprobated in him? Gentlemen, it is impossible you can say otherwise. Miss Dick was, to all intents and purposes, guilty of as gross a breach of promise of marriage in this instance, as any with which she has since been able to charge Mr. Fletcher; and, in opposition therefore to the call which my learned friend has made upon you, to visit my client with the punishment due to a double treachery, of which he is wholly innocent, I think I may with much greater reason call upon you to set the one breach of promise against the other, and make thereby a clear acquittance between the parties.

I shall be reminded, perhaps, of circumstances of strong aggravation in the second case, which make it impossible to look at the two in the same

light. But is the first case attended with no aggravations? Was it making matters no worse, that in the letter by which Miss Dick discarded Mr. Fletcher, she should speak of his sister, Miss Jean Fletcher, in terms fit only to be used by a not very modest woman towards the most degraded of her sex?

Mr. PHILLIPS.—My learned friend means, after all then, to produce these letters in evidence.

Mr. SCARLETT.—And if I do not produce them, or at least prove their contents, the Jury will of course dismiss from their minds any argument which I may found upon them. But my learned friend must not be too sure, that I cannot prove the *ipsismia verba* to be exactly as I have before set them forth; he seems to forget that in the nearly contemporary letter which he has produced as part of his own proof, addressed by Mr. Fletcher to his brother Robert, and which was certainly not written with a view to any after purpose, there is an account given of Miss Dick's letter, which corresponds substantially with what I now offer as a literal transcript of the words used.* Was it, I will again ask, Gentlemen, making matters no worse, that Miss Dick should contemptuously and slanderously enquire whether the "woman calling herself Jean Fletcher," who knew so much of their affairs, was not

* Appendix, A. No. 1.

"some miscreant walking the streets of London?" Was it making matters no worse, to suppose even for an instant, that the man to whom she had been betrothed, and who had the character of a minister of the gospel to sustain, could have carried his love-tales into the street, and confided them to one of the vilest of the vile?

Really, Gentlemen, if there is no aggravation here, I know not how it is possible that a case of breach of promise of marriage can ever be aggravated. I do say, that after so intemperate and indecent a letter as this, the man must have been dead to every feeling of self-respect, who did not at the moment congratulate himself on the escape which he had made from forming an alliance with the lady capable of writing it. Nor is there, in my opinion, any thing in all Mr. Fletcher's conduct as connected with the second correspondence, of which he has half so much reason to be ashamed, as Miss Dick has to be ashamed of having written that letter.

My learned friend laid great stress on the terms in which my client spoke of Miss Dick and her friends, in a confidential epistle which he wrote about this time to his brother, Robert Fletcher, and which that brother with a propriety of feeling, quite in unison with his general conduct, has published to the world. But when you see, Gentlemen, under what circumstances of provocation that letter was written,—when you consider how

Mr. Fletcher must have been still writhing under the mortification of Miss Dick's contumelious rejection, you will probably think, that it is not so wholly without apology as has been represented. It has suited my learned friend's taste for exaggeration to maintain that every opinion it contains was the settled conviction of the writer's mind, and which no change of circumstances could possibly alter. But is there any one so ignorant of the course of lovers' quarrels, as not to know how rapidly, and yet with how little sincerity, the language of affection and praise will sometimes diverge into strains of the bitterest censure and reproach? Can any one, especially, be so forgetful of what makes up the wooing of Scottish lovers, as to take in good earnest any scandal that can pass between them—when, as the poet says, even while loving most passionately and most sincerely, they

"Scratch each other black and blue!"

It must at any rate, Gentlemen, be admitted, that if there are things in that letter, which my client might wish had never been written, he is not the only person who committed to paper on the occasion, what required to be both forgotten and forgiven. Take it to be the case, as my learned friend contends, that Mr. Fletcher still retained every opinion expressed in it, down to the time when he renewed his addresses to Miss Dick; am I not equally entitled to hold that Miss

Dick, down to the time she accepted these addresses, repeated not one syllable of the very chaste, elegant, and complimentary letter, by which she broke off the first correspondence? And who, in that case, I should like to know, would bear off the palm for sincerity and good faith?

That the letter of Miss Dick had really the effect of producing a strong impression that she was indifferent to the match, I can prove by other testimony besides that of the defendant himself. In a letter written to him by his father on the occasion, and which will be proved to you in evidence, the old gentleman, than whom, as I am informed, a more upright and worthy individual never lived, says, "Your mother and father, and *all your relations* here, are of opinion that you should have no more correspondence with Miss Dick. *Her proposing to delay the marriage for three years is a manifest token that her love to you is very cold.*"

I think, Gentlemen, you will, upon the whole, agree with me, that equal justice will be best done to both Mr. Fletcher and Miss Dick, by holding as at length forgotten and forgiven, all the ill-natured things which they said of each other at the time of their first quarrel. We shall by doing so, to be sure, break up the whole fabric of my learned friend's ingenious and eloquent argument; there will be then no malice rankling in the breast of my unhappy

client for ten long years, and at last bursting forth in a scheme of revenge against Miss Dick and her family, so dark and deadly, that the very devil has to be conjured up to keep it in countenance—there will be then no "male coquette" in the case, inflicting a blot on human nature such as it never sustained before; but, on the other hand, Gentlemen, we shall be putting no more than a charitable construction on the motives of both the parties to this ill-fated attachment; we shall be interpreting matters according to our more ordinary experience of human life; we shall have no romance in the case, nothing but plain downright matter of fact.

My learned friend has been pleased to deride the idea that my client ever felt really sorry at the coldness which Miss Dick evinced, or was supposed to evince, in 1812, and which led ultimately to her then breaking off the correspondence between them; but when you take that rational view of Mr. Fletcher's subsequent conduct, which I have now suggested, you will find the best possible evidence of his sincerity in this respect. Sorrow, as we all know, and as most of us may probably have felt, is a far more enduring affection of the mind than anger, which is indeed but one of its many moods; and when, as in this instance, it arises from slighted love, it is, above all, difficult of cure. For awhile, and in public especially, it may affect the joyous laugh or spiteful jeer, but sooner or later, the silent hour is sure to arrive,

when the memory of dearly cherished affections will break in like a flood on the mind, and sweep away whatever petty feelings may have been vainly endeavouring to usurp their place. It is true, Mr. Fletcher could not well be else than seriously offended with the terms in which Miss Dick conveyed her dismissal of his suit; it may be even true, as I have supposed, that he at first exulted in escaping the chance of rivalling Socrates in matrimony, if not in martyrdom; but after the angry passions had had their day of noise and bustle—when he found the faithless fair still the unexpelled mistress of his heart—when he began to call to mind all her good qualities; and to consider how the upbraiding style of his sister's interference was calculated to provoke even an angel into a momentary aberration from propriety—when he thought of the prize he had to regain by a sweet forgiveness, and of all the pains to be endured from a longer struggle with his feelings, can we wonder that he forgot and forgave every thing—"gave up all for love," and "thought *revenge* well lost?"

To do thus, was but to do as good feeling dictated—to do as a thousand others have done before, and as ninety-nine out of a hundred would do in similar circumstances. There is nothing in this course of events, but what is all very natural—nothing but what is of every day occurrence; the result is just such as any one might expect to happen, where an early and deep rooted attach-

ment has been baulked in the moment of expected fruition, by some trivial misunderstanding.

The view which I now take of the case, I rest upon the great volume of human nature, and on what, to the honour of human nature, are its fixed and ordinary principles of action. But the view which my learned friend has endeavoured to press upon your belief, is one, as he himself confesses, which has nothing natural in it, and which he can fitly designate by no other term than that of being "truly demoniacal." It is indeed a demon's part which he would assign to my client; he would have you to believe, that in revenge for Miss Dick's conduct in 1813, in revenge for an injury of ten years standing, he coolly and deliberately renewed the correspondence in 1823, with no other purpose than that of wooing and betraying her, a second time, to derision and scorn. Need I ask, Gentlemen, on what facts and circumstances he founds this monstrous conclusion? It is *too* monstrous for serious refutation. It belongs to a school of extravagance, which, little to the credit of our national taste, has lately had some encouragement among us, and which, my learned friend, knowing that *Common Sense* is the presiding deity here, should have left to flourish, or rather I should say, to disgrace those boards, where, in the shape of plays from Mr. Shiell, or operas from the German, it has usurped, for a time, the place of those inimitable pictures

of real life and manners, left us by our immortal Shakespeare.

To what then, Gentlemen, is the present case thus reduced? To one of a simple breach of promise of marriage, distinguished only, though not justified, I will allow, by the circumstance that the lady who complains of it was herself once guilty towards the defendant, of the very offence with which she now accuses him. I do not mean, certainly, to say, that the defendant's apologies for breaking off the match were just as judiciously and consistently brought forward as they might have been; I regret that there is so much room for wishing that he had acted in a more uniform, candid, and straight-forward manner; but I shall be content, Gentlemen, if the fact be allowed that, for one reason or other—no matter what—Mr. Fletcher had lost his liking for Miss Dick. It does appear to me, that without the fullest liking in a connexion of this kind, there can be no rational prospect of happiness, and that a lady who, even on the way to the altar, discovers that she has lost that place in the affections of her intended husband, on the faith of which she promised him her hand, has cause to be glad, rather than sorry, that she has made the discovery while it is yet time to draw back. It is a case for pity, certainly, to be led on thus far, with the gaze of the whole world upon you, and to be then obliged to retract; but ten times more, in my mind, is the lady to be

pitied, who, unsuspicious of any abatement of attachment, advances to the altar, and gives her hand as well as heart to one who, obedient to what he erroneously supposes to be the call of honour or of duty, and, forgetful of the solemn vow which he takes, "to *love*," as well as "honour, comfort, and keep her," gives only a cold hand in return. The gaze of the world, its derision or its commiseration, are but the sufferings of a moment; but to be wedded to alienated affections, is misery for life. I care not much at what time you may suppose Mr. Fletcher's inclination for the alliance to have wholly ceased; whether before or after Dr. Dicks' interference in behalf of his daughter. It is enough, in my view of the matter, that, in either case, the affections of the man no longer coincided with his legal obligations; and that though Miss Dick had called every power on earth to her aid, she could not have recalled that love which was gone for ever. I must confess, however, that it is by no means clear to me, that at the time Dr. Dick interposed, the case was become just so desperate as this. It is evident enough, that Mr. Fletcher's inclination for the marriage was previously on the wane; but I do think, that had Miss Dick and her friends not assumed, just so hastily as they did, a threatening and compelling attitude—had they shewn a little more patience, and forbearance, and loving-kindness—the faltering swain might yet have been won back to love and duty. But whether I am correct in this supposition or not, I am

sure, Gentlemen, you must all feel, with me, that there was enough in that attitude to put to utter flight a far greater share of good-will to the match, than there is any probability Mr. Fletcher possessed. My learned friend has spoken of the Rev. Doctor's letter, or pleading, as he styled it, in behalf of his injured daughter, as something so eloquently touching, that it would have moved even a heart of adamant; but, Gentlemen, I must, though at the risk of endangering my character for sensibility, declare that a more sour, uncourteous, matter of business, browbeating production, I never read. It had nothing, in the least, of a kindly, conciliating, or healing character about it. It told my client, in as plain terms as could possibly be used, that if he did not marry Miss Dick, he should be made to smart for his conduct. It brought matters simply to this issue: that Mr. Fletcher behoved either to submit to have it said that he was *forced*, or, as a friend of his has well expressed it, *dragooned* into the marriage, or to make up his mind to brave all the fury of an incensed and vindictive father. That my client acted a prudent part, in preferring the latter alternative, I will not say; for now that he has experienced what the threat of the Rev. Doctor really portended—now that he has felt how unsparing was the vengeance in store for him, extending not only to the destruction (as far as in the enemy's power) of his character and usefulness in society, but to the destruction of the very means of his sub-

sistence—now that it has been proved in his person that to break a promise of marriage to the daughter of a chief of the Scottish Secession Church, is a crime deserving ten times more punishment than a breach of promise to any other person in the kingdom—now that all this bitter experience has come over him, it may sometimes, perhaps, have occurred to him, that he would have acted with more worldly wisdom, had he overlooked the dictation of the father, and endeavoured to remember only the virtues of the daughter, But it will, at least, Gentlemen, be allowed, that the part which my client preferred, though it has been a perilous and a suffering one, was that of a man of spirit—I would say, not only of spirit, but of honour and integrity: for, sacred as a promise of marriage may be regarded, I hold that there is yet one thing more sacred, a regard to truth and to religion. Suppose my client had, without sufficiently consulting the state of his affections, been frightened into a compliance with the demands of the Rev. Doctor, and given his hand, without his heart, to his daughter, what would have then been the triumph which the Rev. Doctor would have achieved? He would have had the credit of having compelled a brother minister to invoke the Almighty's sanction to the declarations of a deceiving heart and lying lip. He would have had the credit (need I say how becoming his sacred office?) of having added one more to the marriages *not* registered in heaven. Surely, Gentlemen, I have my warranty for say-

ing, that the Rev. Doctor has cause to feel grateful to that courage and sincerity which saved him from the commission of so great a sin. Surely I have a right to lay claim for my client to some merit in not having added to his simple breach of promise, the serious guilt of a compromise of principle. To decline performing an engagement which we cannot fulfil with the sincerity essential to its *honest* fulfilment, may be a crime in the eye of what is termed the law; but I trust, Gentlemen, that you will show, by your verdict this day, that it is no crime—nay, something very much the reverse—according to every canon, both of morality and common sense.

EVIDENCE FOR THE DEFENCE.

Mr. Scarlett then proceeded to call the following witnesses for the defence.

Miss Euphemia Fletcher, examined by Mr. Campbell.

Look at that letter, (handing to the witness a letter from her father, the Rev. William Fletcher, to her brother Alexander,*) is it in the handwriting of your father?—It is.

Did you receive in the course of last summer, a letter from your sister, Jean Fletcher, respecting a correspondence between your brother Alexander and Miss Dick, of Glasgow, in 1812 and 1813?—I did. (Produces the letter. †)

When your brother renewed his addresses to Miss Dick in 1823, I believe your sister Catharine and yourself were residing with him?—We were. I had had the management of his household concerns for nearly ten years preceding.

Did you make any opposition to the marriage between your brother and Miss Dick?—It would have been in vain for us to make any opposition. We disapproved

* Appendix, B. No. 1. † Appendix, B. No. 2.

of the match, certainly, as we had a right to do; but contented ourselves with reminding Alexander of the letter his father wrote to him after the first correspondence was broken off. So far, however, from wishing to stand in the way of the marriage, we told him, that in two days after we intended to depart for our native country, where kind friends and a comfortable home of our own awaited us.

Do you know anything of Mrs. Jean Pirie?—Too much. For nine years she was our professed friend; but behaved afterwards like the serpent which made Eden a wilderness.

How so, pray?—While she was on terms of intimacy with us, and saw how happy we were with our brother, we discovered that she had been writing secretly to Miss Dick, telling her not to mind a word we might say against the match.

When you made this discovery, did you tax Mrs. Pirie with her duplicity?—Yes. One day when my sister and I were in the vestry at Albion Chapel, Mrs. P. came into us and said, "O girls, why do you thus avoid me? I cannot sleep in the night when I see you pass me without speaking to me!" My feelings were powerfully excited by her duplicity—for now the vail was rent from my eyes; I saw beneath the mask she had so long worn. I replied, "Can you ask that, when you know you have deceived us?" She said, "I do not understand you; I am sure I would serve your brother with the *left* hand, but you with the *right*." I answered, "You are a deceiver, for you have been writing to Glasgow." She raised her hands and eyes to heaven declaring, that if she went to death that moment, she never had done so; that she had not known the correspondence had been renewed, till she had been told of it on the Tuesday before, by a lady! "Say not so," I returned, "when you know you have written." This sentence informed her that her true character was known; she dropped the mask on my giving this direct contradiction to her declaration of innocence, "Well, then, I have been writing to Glasgow, and the time may come when I will show you the letters." "The time will never come, said I, that I shall *even touch* what you have written."

Cross-examined by Mr. Phillips.

But why, my good lady, should you have been so angry

with Mrs. Pirie, if it be true, as you have informed us, that you had no wish to stand in the way of your brother's marriage with Miss Dick. You had made up your minds, recollect, to quitting your Eden before this serpent, as you are pleased to call this respectable lady, made her appearance on the scene."—We were angry with her for acting so double a part.

Are you not aware that it was at your brother's request that Mrs. Pirie wrote to Miss Dick?—I have heard so.

Have you seen a letter of your brother's, in which he says, "that ever since you had received intelligence of his then intended marriage with Miss Dick, you had been in the most violent opposition to it;" and farther, "that your aversion to the marriage was part of those events of Providence with which he was surrounded on all sides, and which, like the billows of the raging sea, were beyond his control?"—I have.

And how do you contrive to reconcile these statements with those which you have made here to day?—Witness remained silent.

Mr. Phillips.—There must be some deliberate misrepresentations among you. I suspect, the only safe conclusion we can come to is, to believe neither.

Miss Jean Fletcher, examined by Mr. Campbell.

In a letter of yours, which has been produced by your sister, Miss Euphemia Fletcher, you give, what you say, is a copy of a letter written by Miss Dick to your brother, in reference to one you had addressed to her. Did you make that copy from the original?—No; I gave it merely from recollection.

You have seen the letter itself, however?—No; but my brother told me its contents.

Cross-examined by Mr. Phillips.

Did you ever read any letter whatever from Miss Dick?—Never.

Mr. Scarlett said that he had no further evidence to offer.

Mr. A. Fletcher himself now stepped forward, and solicited the attention of the Court for a few moments.

Chief Justice.—Your cause, Sir, has been

very ably advocated by your counsel, and you had better perhaps let well alone. I will not, however, refuse to hear you, if you have any thing further to offer which you think essential to a proper understanding of your conduct.

Mr. Fletcher.—My Lord and Gentlemen of the Jury, it is with the greatest reluctance I now address you. There is a compulsion of necessity, and a compulsion of duty. Both unite in bringing me forward: the former I am unable to resist, and the latter I am inclined to obey. I have carefully enquired, "What benefit can result to society, to the church, or to individuals, by thus publishing to the world the circumstances of a correspondence which *once* existed, which was *first* interrupted, and then *brought to a conclusion* by a variety of causes? What benefit can result to society, to the church, or to individuals, by occupying the public mind, both in England and in Scotland, with scandalous animadversions upon one who, like other men, is liable to fall, but who anxiously wishes to be a blessing to his country, and to mankind?" On the most cool and deliberate enquiry, I find that neither individuals, nor society, nor the church can benefit by the publicity given to the affair between Miss Dick and me,—by the details of our broils, and the reasons of our mutual hostility—by the development of our corrupted passions, and the effusions

of our spleen. It has, therefore, appeared in some measure unaccountable, that my antagonists should have discovered so much solicitude, after they have exhibited me in the Court of King's Bench, and then in the Ecclesiastical Court of the Secession Church, to exhibit me again, before my already satiated countrymen, at the bar of your tribunal. Let me think,—"What can be the motive by which *their pure minds* are stirred up?" It may be this;—they employed the first expedient as an engine to accomplish my ruin. Has it succeeded? No. After the tempest of the legal conflict subsided, I still appeared the possessor of character, credit, and usefulness. Not one real friend had forsaken me; new accessions were made to those who remained stedfast to their insulted and persecuted leader. They employed the second expedient as an engine to accomplish my ruin. Has it succeeded? No. Ecclesiastical anathemas have been poured upon my name; arrows have been directed against what is dearer to me than life, and without which life must prove a load intolerable to endure. After the storm of ecclesiastical violence, my antagonists have still found me the possessor of character, credit, and usefulness, and the ranks of my supporters and friends increased to a degree, which more resembles the dreams of fancy than objects of reality! The third expedient they now employ is their *last*, their *greatest effort* to accomplish that

ruin which they found themselves unable to effect by their former attempts. Like Pharoah, they have said, "We will pursue, we will overtake, we will divide the spoil." Let them take care lest, like Pharaoh, they be buried in the Red Sea of their own presumption. May I add, that this expedient is their last, their dying struggle! It is a powerful convulsive movement, but it is the harbinger of dissolution. Join with me, Gentlemen, in wishing that, when they shall find the inefficacy of this their last attempt, *that enmity* may expire, which has stimulated them in all their projects, and not attend them to *another world*, where, like the vulture, it will prey upon the vitals of those who have surrendered themselves to its dominion *in this!* Should they accomplish my ruin, what advantage shall they have procured for themselves? Shall they be lifted up by my downfal? Shall my destruction prove the basis of the irprosperity? Alas! it is now no problem in the history of man, "whether he can plan the ruin of another when it is not to advantage himself." The joy which such a destroyer feels I know not; I leave its description to those who have not been ashamed to proclaim to the world, that they are the abettors of enmity, and the advocates of revengeful malignity!

All along, I have viewed the attempts of my enemies as originating in *satanic influence*, and stimulated by the worst passions which can agi-

tate the human heart, as their object has been evidently to drag me down from one of the most important stations that has ever been occupied by any minister in the metropolis. I have seen the *malevolent intention* throughout, and though I may be chargeable by some, as giving place to a wild enthusiasm, I have uniformly experienced a conviction, during this unnatural and disgusting conflict, that these parties shall be frustrated in all their intentions: that they shall find themselves to be only "potsherds fit to contend with the potsherds of the earth;" and that they are foolishly and presumptuously contending with an arm stronger than that of man, which has hitherto proved the shield of my defence.

I know from the extraordinary publicity which has been given to my first and second correspondence with a certain lady, that from the almost unparalleled excitement which has been produced in this country, many were led to suspect, if not to conclude, that I had been guilty of the most perfidious acts—of the basest treachery: *yea*, that I had practised the acts of the vilest seduction!! I ask, who would not have concluded this to be the case? But what must be the surprise of the discerning public, of a generous and free people, when they find *this* to be the case—that I have scarcely seen the lady for ten years; that during that period I had not been in her father's house; that the second correspondence only last-

ed about five months; that it was interrupted not by any want of respect to the lady; that a delay of marriage was occasioned by the heaviest and most tragical family calamities; and that the correspondence was finally brought to a close, by the imprudence of the relatives of the lady, and by the most disgusting and presumptuous interference of *ephemeral friends*, who adopted a method unheard of in the annals of the history of man, namely, *force*, to compel a man, almost distracted by affliction, to enter into a connexion, which, of all others requires a sky, clear and tranquil, and not covered with clouds of threatening calamity, or agitated by storms of tumultuous vicissitude? Whether these things have been proved or not, I will leave to the *decision of that bar of public opinion*, before which I appear, and where I am convinced, candid confessions will be received with compassionate magnanimity, and where a sentence of honourable acquittal will be awarded, grounded on a defence which has for its basis the immutability of truth.

That I take great blame to myself for the renewal of my correspondence with Miss Dick, I do not deny; but I cannot suffer it to be inferred, that I concur in all the concessions which my learned counsel has, for the sake of argument, I suppose, thought it proper to make on the subject. When Mr. Scarlett was employed, on a former occasion, to defend me in the Court of King's Bench, he was pleased, in order to *avoid* argument, I presume, to

admit (what he had no authority from me to admit), that I had been guilty of a breach of promise of marriage. Not being personally present on that occasion, I had no opportunity of entering my dissent from the admission of my counsel; but the case being otherwise now, I feel that I am imperiously called upon to state how far I agree, or do not agree, with the concessions which he has made in my name. Mr. Scarlett has admitted that the second correspondence began with an overture on my part. Now this I deny.* Nothing but force compels me to refer to that communication from the lady which has been so firmly denied by my assailants. But as the assertion of this truth has been declared to be the foundation of the action which was raised in the Court of King's Bench, I will, with the leave of your Lordship, call a most respectable witness, who will prove, beyond the possibility of a doubt, that such a communication was sent to me by the lady. With respect, again, to the admission that I was ultimately guilty of a violation of a promise of marriage, I can only concur in it thus far—that, in the eye of the law, I am guilty. I need not say, Gentlemen, that there may be a legal violation of a promise, where there is no moral violation. The man who promises, at a particular day, to pay a sum of money which he owes, but is unable to do so when the day arrives, is guilty of a legal violation of the promise; but who will

* See "Appeal."

say that he is guilty of a moral violation of it? No man will make such an assertion. In my case Mr. Scarlett may do right in allowing the legal violation of my engagement, but not in granting the moral violation; because, allowing that I was legally bound to fulfil my engagement in the month of September, I was morally prevented from doing so, by a heavy domestic calamity, which intervened. Should the following question be addressed to me; "Sir, if you were justly considered pledged to marry your former correspondent, do you consider what you communicated in the two letters, of the 25th June and 3d July, a reason for breach of promise of marriage?" I would instantly reply, No. Such an opinion I never entertained, and such an opinion I never expressed. I never said so in writing; I never said so in conversation. When I wrote them, I considered they contained reasons of delay, and I consider so now. My affection remained unaltered to my correspondent; I was even laying the plans for the accomplishment of our union, after the letter which I subsequently received from her father, and on which my counsel has animadverted with so much merited severity. On receiving that letter, however, I looked with terror on the event of being related to a gentleman who could write to me as to the vilest of beings; and on receiving another letter from the daughter, approving of all her father had said, written, resolved, and

threatened, I must confess I looked with appalling suspicion on the event of being related to a lady who could permit and sanction such an opprobrium being heaped on him whom she expected to be the partner of her days.

It is universally acknowledged, Gentlemen, that love is a plant of very delicate texture, and it has often expired by circumstances the most apparently trifling and capricious. Human nature illustrates this every day. This memorable letter was like pouring the burning lava of Vesuvius upon the blossoms of a tender flower. The disgust which it has excited is as strong as at the first moment my mind came in contact with its malignant virulence. I am blamed with treating the reverend writer of the letter with *contempt* and *scorn*. His letter I did treat with contempt and scorn, and will treat with contempt and scorn, while I live and breathe. It is worthy of the heart which dictated it; and I shall ever rejoice, that my existence shall not be embittered by being related to one whose dispositions I hold in such deserved detestation! (*Expression of disgust throughout the Court.*) "Heaven grant I may never meet him on earth, till the asperity of his nature is softened by the resistless influence of the religion of peace!"——Mr. Fletcher sat down.

Chief Justice.—Who then is the witness you mean to call to prove that Miss Dick commenced the second correspondence?

Mr. Fletcher.—James M'Crone, Esq. of Castle Mona, Isle of Man.—M'Crone, where are you?

Mr. M'Crone (a very respectable, elderly looking gentleman) then stepped into the witness-box.

Mr. Fletcher.—Do you know any thing, Sir, of the renewal of a correspondence between me and Miss Dick, of Glasgow, in 1823?—You know, very well, Sir, that I was not consulted about the business; but in vindication of the part I have taken, I must say, that I had as much proof as would hang a thief, that after the first courtship was broken up ten years ago, the lady again came forward and wrote.—One witness says, "I saw and read the letter;" another says, "I and another lady read it, and had our jokes on the subject." A third witness said, "The letter was sent by mistake from the minister's study and came under my inspection." This shows I was correct in my first conjecture, when I said, in my letter to Mr. Pirie, "Now, when she cannot do better, she comes forward with the offer of her hand."

Cross-examined by Mr. Phillips.

Will you have the kindness, Sir, to mention the names of any one of the three witnesses you talk of?—No, Sir; I am not at liberty to tell their names.

And yet you feel yourself at liberty, on anonymous authority, to propagate what I now tell you is an infamous slander. I have but two questions more to ask you, Sir. When, in your letter to Mr. Pirie, you owned that the lady had made an offer of her hand, did you know that to be the fact on any sort of authority whatever?—

I did not *then* know it to be the fact.

Who told you first that it was the fact?—

I do not remember—

Ohone, Mr. M'Crone!

Mr. Phillips said, that though entitled to a full reply, he felt that any thing of the kind was

unnecessary; he would occupy the attention of the Court for but one moment. He wished merely to repeat his most solemn denial that Miss Dick had broken off the first correspondence in the terms imputed to her, or solicited the second in any terms whatever; and to remind the Court, that neither Mr. Fletcher's counsel nor Mr. Fletcher himself, had succeeded in producing anything more than mere hearsay evidence on these points, and that evidence of such a description as to make it doubtful whether it was hearsay or pure invention.

The CHIEF JUSTICE then proceeded to charge the Jury. — He looked upon the offence with which the defendant was charged, as one which in its simplest form, and stripped of all aggravations, was one of great enormity, much greater than the world seemed generally disposed to allow. Perhaps there was no human affection which could bear less to be capriciously sported with, than that of love in a female breast. Once fairly awakened it possesses her whole soul, and tinges every sensation; nor is its intensity more than faintly discovered in its external development. When it leads to a lawful and honourable connexion with the object of its regard, it is the surest of all passports to a life of tranquillity and happiness; but when faithlessness and desertion are its portion, it brings but too frequently ruin, recklessness, and misery in its train. In nine

cases out of ten, it is the circumstance which decides between living to usefulness and honour, and living only to bitterness and shame. Events may sometimes arise to justify a breach of promise of marriage; but rarely, indeed, does such a failure of engagement take place, without inflicting great and irreparable injury on the female who is its unhappy victim. Every man of right feeling, every man of honour and humanity, therefore, must feel it to be his duty to consider well what he is about before he indulges in those attentions, which, according to all reasonable interpretation, have marriage for their object; and when once he has plighted his troth, none but reasons of the weightiest import should ever induce him to draw back. Now, what had we here? A promise of marriage twice made and twice broken; owing in the first instance, perhaps, to faults on both sides, but in the second, owing, most unquestionably, to no fault whatever on the part of the lady. And what reasons did the defendant offer in defence of his conduct? Did he plead that he had been drawn in to make the promise rashly and inconsiderately? No. He had the modesty indeed, in opposition to the more gallant and prudent course pursued by his counsel, to say that the lady had made him an unsolicited tender of her hand; but never had there been witnessed a more disgraceful failure than Mr. Fletcher had exhibited in his attempt to prove in

evidence this dastardly imputation. No defendant, in a case of this kind, had ever less reason to plead want of consideration or want of will. The attachment was one which he had formed in early life, which he had had ten years to reflect and brood over; and in all, but what love he felt for the lady, he was as free as air, when he spontaneously and deliberately renewed his proposals for the alliance. Had Mr. Fletcher's love then for the lady cooled, or had obstacles arisen which placed it out of his power to fulfil his engagement? The defendant had protested very solemnly, that the latter and not the former was the case; but looking at the nature of those obstacles, at the shifting manner in which they had been put forward, considering how much reason there was to suspect the sincerity of the defendant in the importance which he ascribed to them, and of how little real importance they were in any view that could be taken of them, it was difficult, nay impossible, not to come to one of two conclusions;—either that there never had been any real love in the case, but (as Mr. Phillips had contended) a malicious intention from the first, to sport with the feelings of Miss Dick and her family, or that his love, such as it was, had from some cause or other, not only cooled, but sunk to the very freezing point. If it should be the opinion of the Jury, that the former was the case, then, indeed, had the learned counsel most justly called upon them

to mark by their verdict, their horror at a scheme of treachery without a parallel in the history of human baseness. But inclining, as they would probably do, to the more charitable conclusion, that merely a change in the defendant's inclinations had taken place, it would still occur to them how comparatively venial his conduct would have been, had he only frankly owned that such a change had taken place, and stated manfully that on that account alone, he could not fulfil his engagement. There was much truth in what Mr. Scarlett had said, that however much the situation of a female deserted by the man she loves is to be pitied, it is bliss compared with the lot of one who is wedded, but no longer loved. Alas!

> "What damned minutes tells she o'er,
> Who dotes yet doubts, suspects yet strongly loves."

Nearly all the enormity that there was in the case, arose from the manner in which the reverend defendant had chosen to back out of his engagement. There had been a want of manliness and honesty in the whole of his proceedings, not more disgraceful to his character as a member of society, than as a minister of the gospel. He had shuffled, twisted, and turned a thousand ways, and done every thing but tell the truth, and repent his errors. Instead of acknowledging, with Christian humility, the injuries which he had done, and making allowance for the indignation

which his conduct was naturally calculated to excite in a woman whose affections he had outraged, and a family whose honourable feelings he had insulted—instead of submitting to just censure, and only opposing unreasonable exaggerations—instead of only endeavouring to regain the good opinion of his friends, and to avert the hostility of his enemies—he all at once turns round, and from the defendant becomes the assailant—declaring himself the injured and persecuted party—scattering his impotent abuse, and venting his pointless malice against his once "adored" Eliza, and all who honourably espouse her cause. The most shocking part of his sophistical correspondence and pleadings was, the continual mixture of things sacred with things secular—holy with profane; and the terrible temerity with which he had attempted to bring Providence to his level—to make Providence his shield in deserting the object he affected to covet so eagerly—the individual he professed so dearly to love. Before the throne of God (if we might believe him) he sought her—in His Holy name he invoked her, by His holy name he vowed eternal love and constancy; and it is HIM who places at length a barrier in the way of their union, which no human hands could remove! Never, perhaps, had there been exhibited a more frightful portraiture, upon the whole, of an uncandid, rancorous, and revengeful spirit, wearing the garb of sanctity, and calling

for the constructions of charity. The impious freedoms which the defendant had taken with the name of the Divinity were, his Lordship was sorry to say, but specimens of a certain hypocritical cant, and daring perversion, and misapplication of sacred sanctions to the common occupations and ordinary occurrences of life, which was become too prevalent in this country. It was confusing the ideas, unhinging the minds, and leading into a maze the better feelings of multitudes, and would, if not checked and put down by common sense and true religion, infallibly tend to drive mankind to become either fanatics or infidels.

The Jury then retired, and after an absence of five minutes, returned into Court.

Sir Walter Scott.—" My Lord, we unanimously find the defendant Guilty upon the whole counts of the indictment."

APPENDIX.

(A)

DOCUMENTS PRODUCED FOR THE PROSECUTION.

No. 1.—*Rev. Alexander Fletcher to Rev. Robert Fletcher.*

The Glasgow business is all over; I am happy at it, very happy; I wonder at my great stupidity. *Jean* has done me much good in the matter. She sent down to her Ladyship *two bulletins* of a very curious nature. This week I have sent back all the *cold, barren, icy letters* I ever received from that *lumpish, selfish woman*, with whom I have been so long enthralled—thanks to God for the deliverance! Jean compared her to Delilah! She wrote back to Jean and compared her to a *****. Keep this secret. I am looking around here; God will guide my steps. No longer will I *stop* to insults; may we ever rise above them. I think Mr. Dick the most impudent fellow I ever met with; his philosophy has done him little good; I have done with him. I like Alexander and George; the mother is Mrs. Hypocrisy, and Miss D. what you called her on the road to Paisley. Write me soon.

I am your loving brother,
ALEXANDER FLETCHER.

London, Oct. 1823.

No. 2.—*Rev. Alexander Fletcher to Miss Dick.*

Received 13*th Feb.* 1823.

My dear Eliza.—It is my intention to pass through Edinburgh in the month of July, where I have a great wish to meet with you. Can you possibly manage to be there about the same time? I shall anxiously wait your answer to this note. Be so kind as address to me, "Albion Chapel, Moorgate, London." Write me without restraint; for, be assured, I will never betray or abuse your confidence and affection, should Providence favour me by making me the object of them. I hold your parents and family in the highest respect and esteem. May God bless you and bless them. I am yours, most affectionately,

ALEXANDER FLETCHER.

No. 3.—*Mr. Fletcher to Miss Dick.*

London, May 22, 1823.

My dearest Eliza,—It is painful to my feelings that I have been prevented from answering your most affectionate letter sooner. Since the time the welcome messenger arrived, I have been moving from place to place, like a king's courier, and have not enjoyed a day's rest and retirement till now. You are closely entwined round my heart, and every letter I receive from my dear Eliza makes me more thankful that I live in the heart of one who so deservedly occupies the highest place in my admiring estimation. I am yours, I am your own; my heart is yours; you constantly live in my thoughts, in my warmest affections, in my fondest desires, and in my most animating hopes; you are mine; I claim you as mine own; I thank God that ever my thoughts were directed towards you, and that Providence ever directed your thoughts towards your own Alexander. O my dearest Eliza, I embrace you with my very soul, when you tell me you look forward to the arrival of a period not remote, when you shall be beside me, when you shall be my companion, when you shall live with me as my comforter, and when you will do every thing in your power to render him happy who shall consider it the greatest earthly bliss to make his dearest Eliza happy. Sometimes I think I am whispering into your ear, not only the affectionate feelings of my mind, but the sweet realities of our holy faith, which carry the thoughts onward to the joys of heaven, and I think that these are not only excited, but answered by my loving Eliza, in a manner which makes me taste the exalted enjoyments of the religion of the heart:—sometimes in the indulgence of fancy, which, I trust, will *soon*, *soon* be exchanged for realities, I think I am listening, amid the darkness and the silence of night, to the sweet ejaculations ascending from the lips of my loving Eliza to the throne of Heaven. Often my heart rises up to God for you, and I am conscious that often I am not only the subject of your thoughts, but your prayers. The expectation of living with you fills me with delight. O may my God and your God grant that, before many months pass over our heads, that expectation may be fulfilled! It is my wish, my prayer, that, if Providence spare me to visit my native land, I may not return alone. My dearest, dearest Eliza, make me happy in saying in your next that you *will not* suffer me to return alone, and that you will enter with me on a career which will add to our mutual prosperity and bliss. On that career I often think. I may say the prospect of that near relation almost constantly engages my thoughts and my prayers. From God I have sought you, my loving Eliza, and to Him I look for the fulfilment of all my wishes. Long, I trust, we shall travel together, hand in hand and heart in heart, in this world,

walking in all the commandments and articles of the Lord, blameless. Your sweet letters make me more and more anxious for the arrival of a day when we shall no longer live separate from each other, but when we shall be *one* in relation, as we are now *one* in affection. I trust Divine Providence will prepare the way before us, and that it will evidently appear the will of Him, who is the wise Disposer of all events, that, on my return, my dearest friend, my own Eliza, the object of my warmest affection, will accompany me to a sphere, where I know she will be happy in doing good. Oh, Eliza, give me, with the greatest freedom, the sentiments of your mind on this subject; I wish I were near you to hear them whispered into my ear, by a voice, the accents of which will, I hope in God, often comfort my heart. My affection to you, my dearest Eliza, is extended to all your family; I love them all, and consider myself honoured and happy in being the sharer of their esteem. Give me the address of Alexander's office; I may call there first on my arrival. Remember me most affectionately to all, and particularly to your dear parents. Embrace the earliest opportunity, my dear, dear Eliza, in writing

Your own loving

Miss Dick, Rev. Dr. Dick's, Glasgow. ALEXANDER.

No. 4.—*Mr. Fletcher to Miss Dick.*

London, June 13, 1823.

My dear Eliza,—It was last Sabbath morning, on my arrival at the chapel, that I received your most welcome, affectionate, and encouraging letter. You are dear to my heart, you have devoted yourself to me, who am infinitely unworthy of such a blessing. With longing anticipations I look forward to that day, when, in the kind Providence of God, I shall see my dearest Eliza. May I be prepared for meeting my loving Eliza, and for enjoying the society of her whose fellowship I prize above every earthly enjoyment beside; and to render whom happy I shall ever consider as my greatest earthly bliss. It is my intention, if possible to leave London and reach Glasgow at the time already mentioned. There is a proposal to make some important alterations in the chapel during my absence, both by way of ornament and enlargement. 600*l.* will be wanted, and must be raised before my departure. It is intended to be collected by the female friends of the congregation. This is a smile in Providence, for which I ought to be thankful. Last year, that is from June, 1822, till June, 1823, our managers have reduced the debt of our chapel nearly about 500*l.* and when they had balanced their books had in hand 60*l.* Never have we had such a prosperous year, as it regards funds and comfort. O that I could also add true spiri-

tual saving benefit. You have most lovingly consented to accompany me on my return to London, which will likely be the month of September. Thus you have afforded me the highest testimony of your affectionate regard. It is true that I have made no regular intimation to my two sisters here, though by letters from the north it has been mentioned to them. I am wrong in not plainly telling them. Many hints and allusions have dropped from me to give them an opportunity of putting the question to me, but they have never yet done it. I am angry at myself, but cannot help it. My sister Euphemia has taken the management of my domestic concerns for nearly ten years: she has been associated with me in all my difficulties and encouragements, and has certainly acted her part with great ability and affection. For nearly half a year I have been preparing her mind for undertaking the tuition of a number of young ladies, for which she is exceedingly competent, both by natural endowments, experience, and education. She could command a very considerable number, and might soon, upon the score of income, be more comfortable than myself. This, my dearest Eliza, is a matter which is now engrossing my thoughts, which I consider inseparable from our expected connexion; yes, that relation with my loving Eliza, which every returning day unceasingly engages my heart. You may have heard of the name of Mrs. Pirie, a most respectable lady of my own age, truly pious, and of the most tried friendship. She is highly friendly to our intended union, and has mentioned to us that she proposes being in Glasgow this season, when I shall be in Scotland. I have resolved to tell my mind freely to her, and to employ her in assisting me in carrying on my plans with my sisters. May God sanction my efforts, and succour my attempts with his blessing! Then, on the one hand, I shall have discharged a duty of gratitude to my sister, in answering the most equitable claims, and, on the other, I shall be the happiest of beings in the enjoyment of my dearest Eliza, and in devoting my whole life to add to my Eliza's felicity. Here my duty and my affection have come in contact. I trust the God we both love will enable me to pursue effectually that wise course, by which I shall find, by the month of September, my sister happy in the career of honour and of usefulness, and myself blessed in the enjoyment of my own Eliza. Remember me affectionately to all the excellent family. Take the earliest opportunity of writing me. May God bless my dearest Eliza!

I ever remain your loving

ALEXANDER.

No. 5.—*Mrs. Pirie to Miss Dick.*

June 18, 1823.

My dear Friend,—You will be surprised at receiving a letter from one who is, comparatively speaking, a stranger to you. The cause of my writing to you is the result of a conversation I had yesterday with a *friend of yours*, my own much-loved pastor. I do not hesitate to say that at present he is surrounded with much opposition to his own wishes, which was the cause of his opening his mind to me; and fearful that a spark of it may fly north, the very delicate matter has devolved on me, of requesting you to keep your mind uninfluenced, fearful that any means may be resorted to for that purpose. With a little firmness and decision, I hope matters will be arranged to the satisfaction of those who have the happiness of his valuable life at heart. Be assured that nothing but the difficulty of our friend's situation could have induced me to have written to you. There has been, my dear friend, a special Providence in all that has befallen the subject of this epistle. It has been my privilege to mark his progress for twelve years. He has been in the furnace as a minister and as a brother; in every instance he has come out with his character brighter. It is needless for me to speak of him as a minister: his useful and laborious life speaks for itself. I have had every opportunity of seeing him in private life, and his character has been that of the Christian minister. Pardon the liberty I have taken in writing to you in the way I have done, but it is the spontaneous result of a mind deeply indebted to a faithful minister of Christ. This communication is unknown to Mr. Pirie: he knows nothing of the matter; it is between ourselves. In the hope that you will receive this as it is meant, and anticipating the pleasure of hearing from you, acknowledging the receipt of this, believe me, my dear Madam, your's, with sincerity,

(Signed) JEAN PIRIE.

No. 6.—*Miss Dick to Mrs. Pirie.*

My dear Madam,—This morning I received your very friendly letter, for which I beg you will accept of my warmest thanks. The contents of your letter did not altogether surprise me, as I had laid my account with opposition from the quarter you have alluded to. Indeed, ever since the commencement of our correspondence, I had determined that any means used from that quarter should have no influence on my mind. I hope, however, that nothing of that kind will occur, but if it should, your friendly and salutary hints will be of use to direct me how to act. Be assured, my dear Madam, from the friendship which you have

shown to Mr. Fletcher, and from the high terms in which he has mentioned it to me, that if Providence should remove me to a distance from my nearest relations, I will consider myself happy in being placed near such a valuable friend. As I understand you are to visit Scotland in the course of the summer, my mother, to whom I showed your letter, wishes to be kindly remembered to you, and desires me to say, that it will afford her much pleasure to see you in Glasgow. I remain, &c.

(Signed) ELIZA DICK.

Glasgow, June 23, 1823.

No. 7.—*Mr. M'Crone to Mr. Pirie.*

Castle Mona, Isle of Man, June 17th, 1823.

My dear Sir,—It is with regret and sorrow that I address myself to you at this time; because, the information I am to give, if it be new to you, as I presume it is, must occasion surprise and grief to our female friends at Homerton. The Minister is to be married in July. I do not think it strange that he should take a wife, for that is quite natural, and was to be expected; but that he should have carried on a plan so far, without communicating it to his sisters, who have done so much for him, and deserve his confidence in every respect so well, is what I consider not only strange, but ill usage.

To you, and Mrs. P., I need not say how much they have done for him—many an anxious day and night they have spent in studying his comfort and respectability; and, doing so, they have not only consumed the best part of their lives, but put into his hands their little all; therefore I leave it to you to say, if, under such circumstances, it is using them well, to rush into a state which must necessarily turn them out of his house at a very short warning. I know their proud independent spirit well; and, I am sure, the news thus suddenly told, must well nigh break their hearts. It is not a little humiliating too, that the lady, many years ago, rejected him with scorn, and ill-treated his relations: and now, when she cannot do better, she comes forward with the offer of her hand, and he is so silly as to say, *Yes*: I write confidently, for my information is from a source communicated by the lady herself. I have to beg of you and Mrs. P. to see Euphemia, and let matters be concerted and managed for the best; and tell her, she and her sisters may always look to me, as long as I live, as their friend and counsellor. And, before the knot is tied, it would be for the Minister granting them at least a legal document for their money in his hands; which, in respect of services (invaluable, and which he can never repay,) should not be dimi-

nished from its original amount, even although they may have received part to buy what they stood in need of in clothes, &c. I have heard a great deal of late, about preparing the house for our projected visit; but little did we think it was for a new housekeeper. I repeat again that no one had a right to be offended at the step he is about to take; nor would offence have been taken had it timeously been told to them, who ought not to have been kept ignorant of it—them, who would almost have laid down their lives for his peace and happiness, and who had the honour and prosperity of his congregation so much at heart.

Mrs. M'Crone and all our young ones are at Dunblane; and I hope to be there early in July; and if my sisters come there, we shall all live comfortably together. It was my fixed resolution to have visited them at Homerton this summer; but that is now out of the question;—not that the connexion is disrespectable, but the very reverse: but because I know they think more highly of themselves than all the Fletchers or M'Crones on earth; and, consequently, I consider Mr. Fletcher a lost brother to us all. I beg to hear from you on receipt hereof; and I hope, on this occasion, you will continue your wonted good services, so as they may have their little matters well arranged and settled: for they must not proudly and pettishly lose sight of their own interest.

With kind regard to you all,

I remain your faithful and humble servant,

(Signed) JAMES M'CRONE.

No. 8.—*Mr. Pirie to Mr. M'Crone.*

London, June 24, 1823.

My dear Sir,—I received your letter of the 17th ult. to which I should have replied in course, as requested, but I was anxious to have an opportunity of previously seeing the Parson and his sisters on the subject of it. I have seen them; and deeply regret that even the most distant insinuation should have been thrown out by any of his sisters against his forming a connexion which all his friends should rejoice to see existing. To me it appears to be a most desirable one in every point of view; and I am convinced it would give satisfaction to the whole of his congregation.

It appears to me—his sisters, who have indeed expressed as much to Mrs. Pirie, and another female friend, have resolved the union shall *never* take place; and they are endeavouring, by every means, to prevent it. How far they will find this to promote their advantages, or his, time will shew; but sure I am, that if he has committed himself in any degree to the young lady, and in consequence of the interference of his sisters, or any relations earth, he should draw back—from that moment I should fea

his usefulness as a minister, and his character as a man, would be at an end: and I declare, I should not hesitate, in that case, *to stand in the front rank of his opponents*, should he have pledged himself so far that, as a man of honour, he cannot draw back; that he will do so I cannot prevail upon myself to believe, but this will be decided soon. If the marriage take place, I entirely agree with you that whatever property he has belonging to his family ought to be legally secured to them; and, if I am consulted in the matter, shall most assuredly advise this being done. It is however a question of figures, about which no difficulties need be made.

I am very sorry that the circumstances in question will prevent us having the pleasure of seeing you in London; but must confess that much as I should like to see you and Mrs. M'Crone here, I would rather forego the pleasure for a time, if I could in the meanwhile, see the minister settled with a virtuous and amiable wife at Homerton. Excuse me for employing an amanuensis, when I say you would have little chance of being able to read my own writing.

I beg to be very kindly remembered to Mrs. M'Crone; and in this my wife desires cordially to unite.

I am, with regard, Dear Sir,

Yours truly, (Signed) JOHN P.

No. 9.—*Mr. Fletcher to Miss Dick.*

Eliza,—I purposely change my manner of address in this letter, not because there is any alteration in my views and opinions of you, for there is none; but because the melancholy history which this epistle contains may be submitted to the inspection of those who are most deeply interested in your welfare and happiness: a phraseology only to be seen by your own eye may be commendable, which would appear disgusting in the eye of others. In general, since I last wrote you, I have endured a storm of affliction, and am still enduring it, which cannot be described; and unless Providence allay the tempest, I cannot tell what will be the consequences. Could I possibly conceal it from you, to save you the pain of the communication, I would do it, but candour, necessity, duty, and even a regard to your ultimate happiness, compel me to give you a detail of circumstances, which have all happened since you received my last. Last Saturday week, my unfortunate brother Robert made an attack upon my residence, of such a violent nature, that the remembrance of it overwhelms me with anguish. For two years and more his iniquities, and crimes, and outrages, have wrung my

heart with anguish. Often he has attacked my dwelling, and threatened myself and sisters with death. Under the influence of inebriety, he has poured from his lips torrents—must I add, of imprecations and blasphemy, the recollection of which still strikes me with horror; he even attacked the chapel on the Lord's Day, insulted the people, and, at one time, during service stood before me in one of the aisles in a threatening attitude, when I thought I should have expired. With the advice of friends, I was prevailed upon to summon him before a magistrate. Never, never shall I forget the sufferings of that day. O that I could obliterate it from my recollection. He was bound over to keep the peace for a certain time: during that period we had no annoyance. Immediately on its expiration he began afresh, and with redoubled violence and malignity, all his cruel assaults upon my dwelling and chapel. I sent another officer of the law to him; the measure had the effect for a season. I heard of his reformation—my mind began to be tranquillized. Some months passed joyfully along. Then I began to think my prayers for him were answered. *This was the state of matters* when our correspondence was renewed. But, alas! on last Saturday week, he came like a roaring lion from Tophet. His raving and execrations were heard nearly a quarter of a mile off; crowds of people were assembled near the gates; the neighbourhood was alarmed; and he did not leave the dwelling till he was wearied out with the excesses of his outrages. On the following Sabbath he came to disturb me at the chapel, but was providentially prevented from accomplishing his purpose. If I send him to prison, as the magistrates told me, he must mingle with the worst of human beings, who will add to his depravity—who will fan the flame of his malignant passions, and who may prepare him for the commission of some desperate felonious act, that would lead to a disgraceful death. God knows! that, for years, I have been living in the dread of being murdered by him, and in the very pulpit have been alarmed with the fear of being destroyed by him. When our correspondence was renewed, many testimonies came to me that he was a penitent. I believed them; the sky was clear and peaceful. Thus was filled up the few happiest months I ever spent in the metropolis. I have thoughts of putting him in a mad-house. More than half a year ago I had men employed to watch him, and to convey him to a place for lunatics. They failed. I rejoiced they did; for if they had succeeded, in a few days or weeks he would have resumed complete use of his powers. He would in this case have been set at liberty. He would then have either raised an action against me, or have fallen upon and destroyed me. This is the affecting situation in which I am placed, with respect to my poor miserable, abandoned brother. This awful and heart-rending event *completely unfits me, for the present, of carrying on our correspon-*

dence; and *till the sky brightens and the storm ceases, it is as impossible for me to write to you in my present agitated state of suffering, as it is to fly in the sky.* Only a sense of imperious duty has extracted this tragical, but true and faithful communication from your afflicted—

London, June 28, 1823. ALEXANDER.

No. 10.—*Substance of Reply,—Miss Dick to Mr. Fletcher.*

I told him that I received his letter with my usual pleasure, but I was much surprised on opening it at his change in the mode of addressing me, but that the explanation had relieved my mind in some measure, and the declarations that there was no change in his views and opinions of me. That my parents and all the family sympathised very much with him in the melancholy account which he had given of his brother's conduct; but, having heard repeatedly of his outrages, we were not so much surprised as he might suppose; that it must be very painful to him to see his brother, and one who had been his companion, so much left to himself. But that he might believe that it had no effect upon my mind, nor for a moment made me change from my fixed purpose of fulfilling my engagements to him, and the vexation he was receiving from his brother only strengthened my resolution of becoming the companion of his sorrows. I also told him that, when I came to the conclusion of his letter, where he says that the conduct of his brother totally unfitted him for carrying on the correspondence, I could not understand what he meant, and could not for a moment suppose that, on that account, he intended to put a stop to a correspondence with one whom he had told "that no change had taken place in his views and opinions." This had, in some measure, supported my mind; and what he had said in the close of his letter I had either mistaken the meaning of, or believed it was written under the influence of strong feelings; for I could not for a moment allow myself to think that, on account of the assaults of a brother, he would give up a correspondence with one who was willing to leave her family for him, and who never changed in her affection;—that if, by what he said, he meant to delay the marriage, I could not see what purpose it could serve to do so, as it would not prevent his brother from behaving as he had already done; that it was known and expected by my relations; the report was quite public in Glasgow; that I did not make it known myself, but I had, of late, often been questioned as to the truth of it; and, as I considered it a fixed engagement, I had not denied it; that my mother had begun to make preparations for the purpose; that I looked forward to his

next letter with great anxiety, and hoped it would allay all my fears; and I hoped to receive an answer by return of post; that my parents and the whole family united in sympathising with him, on account of his brother; but they could not see in any way how it could put a stop to the correspondence or the intended union; that my father expected him to preach for him as he had promised, and we were all happy in looking forward to his visit. This is, as far as I can remember, the substance of my answer to Mr. Fletcher's letter of the 23d of June. It was sent by return of post.

(Signed) ELIZA DICK.

No. 11.—*Mr. M'Crone to Mr. Pirie.*

Castle Mona, June, 29, 1823.

My dear Sir,—I have to thank you for your letter of the 24th inst. As to the matter of the minister's intended marriage, I cannot form any opinion, for I have not received a syllable from him on the subject; nor, till this moment have I had any correspondence with any of his sisters regarding it, excepting with my own wife; and I hope there is nothing of treason in making it the free subject of discussion:—and it is quite possible we may have very good reasons for disapproving of the connexion, though these reasons may remain with ourselves. If it be true, as fame reports, (but fame ofttimes is a lying trumpet,) that the lady made the advance, so that the minister has been drawn into correspondence without previous reflection, or even prudent forethought, the drawing back, if it were to be so, would in that case, admit of explanation; but if, on the other hand, *he* voluntarily made the proposal, and has brought matters to a certain length, then my opinion decidedly is, that it would, humanly speaking, be "drawing back to perdition." But being as ignorant as St. Paul's steeple of the *pros* and *cons*, and, as already said, can form no opinion on the subject, will most assuredly give no advice.

My reason for writing to you had for its object, the sole purpose of soliciting you to interfere with your good offices to get my sisters' pecuniary affairs so arranged, as that they might take away what they brought, with the interest it would have gained if it had been placed in other hands; for I considered, and still do consider, that their meat and clothing merely has been compensated, and much more than compensated, by the ten years anxious care and labour for this same minister. And if they will, in this very thing, follow my advice, which I shall give for the first time, by this post, they will try to effect this, and instantly

go to Scotland, where they have a home of their own, and where they will find a welcome reception among many friends; and where too they will find *me*, their guardian and protector, proud to rank myself among them.

The minister has, in my humble opinion, to say the least of it, treated his sisters with great want of confidence, and from all you know, you cannot fail to be of that opinion also; and, no doubt, they still bear in mind, that this same lady, as the story goes, once refused their brother with much *hauteur*, and spoke evil of all his relations, because he had the monstrous presumption to aspire so high.

I beg to be kindly remembered to Mrs. P. and your brothers; and when it is safe to come to London, without the risk of being drawn into the scrape of meddling or interfering in this matter—a predicament I shall most studiously avoid—I assure myself of very great pleasure in accomplishing my wish; meanwhile,

I remain,

Yours most sincerely,

(Signed) JAMES M'CRONE.

No. 12.—*Mr. Fletcher to Miss Dick.*

Eliza,—I employ, in the beginning of this letter, phraseology similar to my last, as it may be read by those who take a deep interest in your welfare: your own good sense will see the propriety of this. Before and since I sent you the last melancholy communication, I find the truth of these lines:—

> "As sparks in close succession rise,
> So man, the child of woe,
> Is doomed to endless cares and toils
> Through all his life below."

The aversion of my sisters to the intended relation was what I never dreamed of, particularly after a lapse of ten years. Were this aversion confined to one or two, it might be endured; but when I find it has extended to nearly the whole, I am inexpressibly distressed. Could I persuade myself to be willing to be separated from them for life, and that you and I could be happy together with such a separation before our eyes—could my regard to you destroy my fraternal affection to them, or could I bring myself the length of disregarding both their friendship and their feelings, I would at once, even now, enter into the connexion; but I cannot. Mrs. Pirie has done infinite injury to my sisters here. In the overwhelming ardour of her mind, instead of attempting to reconcile them to the object of our wishes, she has wounded and afflicted them to a degree almost incredible.

In addition, Mr. Pirie has written to my brother-in-law, Mr. M'Crone, in a form which has increased, and not lessened, the evil. If you have any desire that the event should ever take place, beseech Mrs. Pirie to abandon her interference: she has even laid the matter before my managers, and has given (forgive me) a disgusting publicity to that which should have been held secret in the most sacred concealment. Even Miss Helen's letter she has handed about from one manager to another. Providence is frowning on all she has done, while I allow that in part she has acted from good intentions. Situated as I am at present, I cannot visit Scotland this season. You are put in possession of a knowledge of circumstances which I would willingly have kept from you, if duty had not compelled me to reveal them. If I had concealed them, and brought you to London in the emergencies of my situation, you would have justly reproached me for the most unwarrantable cruelty. I have given you my sentiments, dictated as much by affection as by prudence and necessity. Be so kind as to write to me, by return of post, your exact sentiments and opinion upon the case, and express them as freely and candidly as I have expressed mine. I cease not to commend you to the care of Him who careth for you, and is able (O that he were willing) to command the dark and troubled clouds of our tempestuous sky to be dispelled.

I remain yours, &c. &c.

(Signed) ALEXANDER FLETCHER.

London, July 3, 1823.

No. 13.—*Dr. Dick to Mr. Fletcher.*

Glasgow, July 7, 1823.

Dear Sir,—When your first letter arrived, we sympathized with you on account of your brother, but could not avoid feeling some surprise, that, after having written to Eliza in so alarming and discouraging a manner, another letter should not have speedily followed, in a different strain; but now it seems there is a different obstacle arising from the same quarter, which terminated your former engagement. I am unable to conceive that your sisters can have any objection to your marriage with my daughter, which they would not have against your marriage with any other young lady, who was in every respect your equal and theirs; but, as I know nothing about them, I shall not at present attempt to discover their motives. In affairs of this kind, the will of parents has been frequently regarded, but sisters have no right to interpose their negative; and no man of honour and

spirit would consider their opposition as a sufficient reason for breaking off so solemn an engagement. What have they to do with the future happiness of his life? And is their pleasure to be consulted at the expense of violating the most sacred obligations? If your sisters expect that their opposition will a second time induce Eliza to give up her claims on you, they will find themselves mistaken. Your correspondence with her is not a secret: preparations have been made for the marriage, and our friends expect it to take place at the time fixed by yourself. I am authorized by Eliza to say that she insists that you shall fulfil your engagement. It would surprise no person that she should do so, who reflected how averse any young woman would be to be twice disappointed in the most important affair of her life, and twice held up to the pity and scorn of the public. You are called to perform your promise, by your honour as a man, and by your character as a minister of religion. What would you think of a man who had twice abandoned the woman whose affection he had solicited and gained, because his sisters did not approve of the connexion, while they could say nothing against her character? If you are at a loss, put the question, I would not say to a Christian friend, but to a man of the world. It would be easy to give his answer; but I shall leave it to your own meditations.

Your declining to come to Scotland will serve to make the matter more public, and, as you specify no other time, gives ground for suspecting that you will ultimately draw back. Hitherto I have not interfered in the business, but now I am called to come forward, and to tell you plainly, that I will not allow the honour of my daughter and my family to be trifled with again. With your sisters I have nothing to do: but I have to do with your solemn engagement, and I insist that it shall be fulfilled. You will yourself be convinced, I trust, that every thing honourable and sacred requires you to do so. If I am disappointed in this expectation, the affair will not end as it did formerly, for I am determined to take every measure to vindicate the honour of my daughter, and to expose to the public a train of conduct of which there will be few examples upon record. I expect to hear from you in course; and if you wish to act wisely and honourably, it will not be till I shall see you.

I am, Sir, yours, truly,

(Signed) J. Dick.

On looking over your letter again, I observe that you say that, in the present state of your feelings, you cannot enter into the connexion. Your feelings seem to incline far too much to one side. Has my daughter no feelings? Are you under no obligation to respect them? And have you said one word in your two letters to relieve her? Is she to be harassed and your sisters to be soothed and gratified? I am almost tempted to exclaim, is

the man sincere in his professions of love who can thus treat the woman of his choice? I advise you to consider well what you are doing, and to be aware of being again influenced to shuffle, and then retract, as the consequences will be much more serious than you seem to apprehend. You complain of the conduct of one or two individuals who are your real friends, and seem to know what honour demands from you. Learn from them what will be the judgment of the public, if you should ever stand before its tribunal.

No. 14.—*Mr. Fletcher to Miss Dick.*

July 17, 1823.

Miss E. Dick.—With surprise I received your father's letter, and with astonishment and distress I read it. That he should have stept forward in this stage of the business, in an attitude so formidable, repulsive, and threatening, confounds me. If you had been brought to the altar itself and then abandoned, greater severity of expression could not have been employed. The language of PROVIDENCE to me in that letter is, '*pause.*' Though it is written in the style of authoritative command, and of ominous and prophetic warning, yet the language of PROVIDENCE to me in that letter is, '*pause.*' Did you see the letter before it was sent? Did your father see my last letter? I fear a negative answer must be given to both these questions. I sent you a discreet letter. Why did you not answer it yourself? My two last letters were dictated by events of PROVIDENCE, which have surrounded me on all sides, and which, like the billows of the raging sea, are beyond my control. They were not stratagems, but they have been treated as such. They were not the contrivances of unhallowed invention, but they have been treated as such. They required sympathy, but they have excited nothing but the rankling agitation of haughty indignation. Is it possible that your father has read my two last letters, and written me as he has done? Or, if he has not read them, how could he have written me as he has done? In these two letters I am conscious that I have done nothing inconsistent with that principle of honour on which your father lays such stress. He thinks otherwise; and has *threatened me* that he will push matters to the most *violent extremities.* This is a development to me which I dare not express. Had I deserved it, little logic would have shown me the danger and rashness of such threatenings; but conscious I have not merited it, the business is hurried into a labyrinth of tenfold perplexity. In the present heart-rending state of my unfortunate brother, I am not only authorised, but

compelled to pause; and with respect to the *friendship* of the most valuable of my earthly relatives, it ought not certainly to be rashly and contemptuously abandoned. My plans for securing this friendship, in connexion with other objects mentioned in former letters, have been frustrated; first, by most extraordinary interference in the south, and, at the present, *destroyed* by the most unlooked-for threatenings from the north. I leave yourself to judge of the reasons why I decline answering your father's communication. They are sufficiently evident from the preceding part of this letter. Candour obliges me to acknowledge, what I would otherwise most willingly conceal, that the *last epistolary intelligence* from Glasgow has produced a *change —a total revolution in my views*, which *solely* dates its origin to that cause. In this I have been passive, like the lamb in the grasp of the lion; and how the evil which is done is to be undone must belong to the invention of a wiser head than mine.

I remain, yours, &c.

(Signed) A. Fletcher.

15.—*Miss Dick to Mr. Fletcher.*

Glasgow, 18th July, 1823.

When I received your last letter, I was thrown into such a state of distress, that I could not answer it, and therefore employed my father to do so for me. He told you my sentiments on the subject: that the opposition of your sisters would not induce me to give up my engagement to you. You will remember that, in your third letter to me, you solemnly engaged yourself to me, and told me to consider you as my own property. Since that time I have never thought of you in any other way. To my father's letter I expected an immediate answer, but as no acknowledgment has yet arrived, I write at present to beg an answer to this by return of post. The aversion of your sisters to me, ought to have been considered at the commencement of our correspondence, but can have no effect now. Your honour, your character, and your solemn engagement, forbid you to yield to their opposition. I cannot tell you how much I am hurt. Your conscience must accuse you of injustice to one, who must feel far more deeply than any sister, and who has never changed in her affection to you. Your two last letters are cold and unfeeling, and you have not said one sympathising word for all you are causing me to suffer. I can hardly believe that he who wrote me these two letters is the same person who wrote me with so much affection not many days before. You may conceive what my feelings are, when I tell you this letter is written on the day that I looked forward to with so much pleasure, when I

expected to see you in Glasgow. Often was your arrival the subject of our conversation, and we all anticipated much happiness in the prospect of having you among us. I cannot tell you what I have suffered for these three weeks past. I hope you will answer this by return of post, as the suspense I am under is dreadful. I cannot allow myself to think that you have received my two last letters and my father's, otherwise you would certainly have returned an answer before this time. Tell me distinctly, in your answer to this, what your intentions are.—I am, &c.

No. 16.—Mr. A. Dick to Mr. Fletcher.

London, Sunday Morning, August. 3d.

Dear Sir,—I arrived here late last night, and have come up at the desire of my father and sister, to have a personal interview with you, on the subject of your correspondence. You must be aware that something decisive must be done. I have written to you to-night, as I understand you reside during the week at some distance from town. As I have only a few days to remain, and, as *we must come to some definite understanding* before I depart, I hope you will appoint some early hour to-morrow, and you can name any place of interview you please. I shall expect an immediate answer, fixing the hour and place of meeting, which you can send to my lodgings. I am, &c.

(Signed) ALEXANDER DICK.

No. 17.—Mr. Fletcher to Mr. A. Dick.

Dear Sir,—My long and true attachment to your sister I need not state. The former blighting of my hopes was among the most painful circumstances of my life. Time did not obliterate the impressions she had made; and when I thought of wedded happiness, I could only address the object of my early and constant love. If she expected my visit to Glasgow with emotion, how much more vivid were the hopes I felt!—That honourable love, disclaiming selfish happiness, taught me that candour must be manifested, even though that candour should produce affliction to myself. Could I then withhold from Eliza a statement of the wretchedness with which the relapse of my unhappy brother, to guilt and violence, then haunted my pulpit and my home? Or, would it have been candid not to intimate the aversion which my relatives evinced to a union, from which I hoped for comfort and delight? Should not sympathy have

attended my communications? And should surprise or displeasure have been excited, that I did not desire to rush on marriage, when unexpectedly, I found that my wife would not be kindly greeted by those, who, next to her, were dearest to my heart? or, when she must have come to the midst of anguish or alarms? Well might I then, however unwillingly, suggest *delay*, and strange must have been my character if I could hope for joy, looking on the tears of my sisters: or when my poor brother was to be confined as either guilty or insane! But affection made me hope that these evils might be removed, and that though I did not this season visit Glasgow, yet that I might hereafter come a happy and so a more welcome guest. These sentiments dictated these letters, to which I received, not from your sister, but from your father, a strange reply. Of him I wish to speak with veneration, as of all the family with merited respect; but why should I conceal what I have already expressed, that the neglect of your sister, and the letter of your father, excited in me anguish and alarm, and well might make me pause.—To be reprimanded, threatened, traduced—to be addressed in language which nothing could require or justify, was a sad premise as to my future destiny, and produced hesitation as to a connexion with a family who thought that I deserved to be so treated, or would so treat me undeserved. New and painful motives for delay were thus created.—What man, capable of delicate attachment, could endure to be forced by censures and by threatenings to a union, made welcome only by tenderness and choice? Nor has this hesitation been diminished by the treatment I have since received. Publicity has been given to the affair—the kind and liberal friends who manage the affairs of our chapel have been strangely addressed; attempts, which honour must condemn, have been made to prejudice against me those whom I justly honour, and to whom I owe so much. Lawsuits have been menaced, my conduct has been vilified, my integrity has been assailed, and efforts have been made to injure my character, dearer to me than life, on which my peace and usefulness depend; and, even since you arrived in London, with a message, as I hoped pacific, I have heard that some of my letters to your sister have been shown; and, although I wish to hear of such conduct with unbelief, I could not but hear it with sorrow and disgust. Under such circumstances, would you not despise me if I could retract my wishes for delay? Whether *explanation of future conduct* may restore my ardour for the union, for which I sighed, I presume not to decide; at present, the objections of my family are unabated, and with grief of heart, but without surprise, I confess they are increased. The situation of my brother is more distressing than ever; his late violence has exceeded belief. I was obliged to confine him for some days to a private mad-house, and, since his liberation,

his outrages are renewed. It is a calamity more disastrous than his death—it excludes all present thought of marriage from my mind. That these evils have occurred, I must deeply deplore. If, by the precipitation of your family, and the measures they have adopted, they inflict wounds on your sister, which I had never thought that she should suffer, that grief will be increased, and I should cheerfully make any reparation that honour could allow, or honour can require. After this communication, you will, probably, forgive me if I decline an interview, and advise time and circumstances to regulate our future intercourse. But if they will not listen to prudence and entreaty, I must await whatever measures their resentment must inflict, and only would assure you, that, influenced by honourable and Christian feelings, I am prepared to submit my conduct to any two Ministers in Scotland or England, whom we can select; and if they can discover in that conduct any portion of blame, I shall desire to make the utmost reparation they can direct; and, requesting that any reply with which you favour me may be addressed to me, Loughton, Essex,

I remain, dear Sir, yours respectfully,

ALEXANDER FLETCHER.

London, Aug. 18, 1823.
To A. Dick, Esq.

No. 18.—*Mr. A. Dick to Mr. Fletcher.*

London, 9th August, 1823.

Sir,—After waiting for *six* days, I have at length received your letter of yesterday's date, in answer to mine which I sent you on Sunday. You were quite aware that the only answer which could be considered satisfactory was, a communication of your resolution to fulfil your solemn engagements to my sister, at the period fixed by yourself. Your letter, however, contains only a repetition of your former excuses, expressed in terms even more studiously evasive than before. From its contents, and the nature of your previous correspondence, I see that it is not your intention to act honourably to my sister, and I, therefore, consider myself and my friends at full liberty to take measures to vindicate her rights. I do not see any thing in your letter entitled to farther notice. I leave London on Friday, and I am, &c.

(Signed) ALEXANDER DICK.

No. 19.—*Mr. Fletcher to Miss Dick.*

The Rev. A. Fletcher informs Miss E. Dick that, on Wednesday last, the 30th, the Secretary of the congregation, an intimate friend of Mr. Pirie, in answer to questions put to him by Mr. Fletcher, gave Mr. Fletcher to understand that a correspondence had been going forward betwixt some part of Miss Dick's family and Mr. Pirie; that a letter should be sent in a day or two from Glasgow to Mr. Fletcher, requiring him to say *yes* or *no* to a certain question, and that if Mr. Fletcher's answer should not be satisfactory, he should be taken both before the Civil and Ecclesiastical Courts. Mr. Fletcher leaves candour to tell the tendency and design of such communications.

Epping Forest, August 1, 1823.

No. 20.—*Mr. Fletcher to Miss Dick.*

London, Nov. 18, 1823.

The Rev. A. Fletcher presents his respects to Miss Eliza Dick, and informs her, that he has instructed his solicitor to request of Miss Dick's solicitor that the matter should be submitted to arbitration. As Mr. F. has reason to apprehend that the proposal may not be communicated to Miss D., Mr. F. considers it his duty to make it known. Mr. F. has learned that the present proceedings are at variance with Miss D.'s wishes. An opportunity is now furnished to Miss D. to testify that these reports are not without foundation. Query, Did Miss D. see the letter Mr. F. addressed to her brother, in August? An answer is expected by return of post, addressed to Albion Chapel, Moorgate.

No. 21.—*Mr. Fletcher to Dr. Dick.*

Rev. Sir,—Information has been given me by different individuals, whose authority may be depended upon, that, in the present action, you only seek the "vindication of your daughter's character."—Whether the action goes forward or not, it is incumbent on me, by the *highest sanctions*, to make an *acknowledgment*, which I trust you will think proper to communicate to Miss D.; namely, "that I sincerely and deeply regret the uneasiness, suffering, and anguish which I have occasioned her, and that there are *many things* in my proceedings blameable, in reference to God and herself." Did you consider this declaration to be prompted or extorted by necessity, it could deserve nothing but

contempt. It is made from a sense of duty, and it is the fruit of genuine sincerity. It is, certainly, general; but while a legal action is pending over my head, I am prevented from entering more into detail. It is made at the eleventh hour,—late, but not too late. Your own, your daughter's, and your family's acceptance of it will reflect the highest honour upon your character, and prove a striking and encouraging illustration of that divine precept, Luke xvii. 3, 4. "Take heed to yourselves, if thy brother trespass against thee, rebuke him, and if he repent, forgive him."

I remain your's, respectfully,
(Signed) ALEXANDER FLETCHER.

Loughton, Essex, Nov. 22d, 1823.
Rev. J. Dick, D.D.

DOCUMENTS PRODUCED FOR THE DEFENCE.

No. 1.—*Rev. Wm. Fletcher to Rev. Alex. Fletcher.*

(Dated some time in 1812.)

My dear Son,—Be not troubled overmuch with ill usage from friends or foes, but endure hardship like a good soldier of Jesus Christ. Your mother and father, and all your relations here, are of opinion that you should have no more correspondence with Miss D. Her proposing to delay the marriage for three years is a manifest token that her love to you is very cold. "A contentious wife is a continual dropping," and a hell upon earth! "Forgive incivilities from her, or from her parents." "If ye forgive not men their trespasses, neither will your Father who is in heaven forgive you your trespasses." I am,

Your affectionate Father,

WILLIAM FLETCHER.

No. 2.—*Miss Jean Fletcher to Miss Euphemia Fletcher.*

My dear Sister,—I am distressed for the situation of our family. If I could do any thing to mitigate its present sufferings, and to prevent future calamities, my life would be devoted to its service.

The letter you allude to, was dictated under very uncommon circumstances; I think it would be doing myself injustice to publish it to the world. You know that when I went to London in 1812, Alexander was to have been married as soon as he could get a house furnished *for the lady's reception.* My first walk after my arrival, was to assist him in seeking out a house. We looked at several in the neighbourhood of Homerton and Hackney, but had not decided upon any. Alexander was, of course, corresponding with Miss D., but in that I was not consulted, nor did I interfere.

The morning on which I wrote that letter, Alexander was in very bad health; he had been preaching to the Jewish children the evening before, and did not return home, but slept at the house of a Mr. Perram; I went to breakfast with him there. After he had been called to breakfast, we waited a long time, and as he did not come down, I became very anxious; Mr. Perram went to his room, and found him *in a faint*, half dressed, and half shaved. He called Mrs. Perram and me, and we used every means for his recovery; however, the inclination to faint continued several hours!

When the family left him to my care, I told him he had preached too much, and if he did not take better care of himself, he might die in one of those faints. He told me it was not preach-

ing altogether that had hurt him, but a letter he had received from Glasgow; and that unless he were *off or on* with that family, his usefulness was at an end. He read to me a quotation from the letter he had received the Friday before, which was to the following effect: "Miss D. was disappointed at learning the smallness of his income, that if poverty came in after marriage, it ought to be borne; but to run into it with her eyes open, was a thing she was resolved not to do; that she was at present in the bosom of an affectionate father's family, in *affluence* and *comfort*, and she meant to consult her own interest, and remain where she was for three years to come."

I had sat for several hours in bitter suspense, weeping over a brother stretched apparently on a bed of death, in a strange house, and hundreds of miles from home, and no doubt the selfishness and apathy of this letter filled me with indignation. What would I have given to have had him at home! The feelings excited at the idea of his being kept three years in suspense, till he would become rich enough to purchase the smile of *this leaden goddess*, was more than I was able to conceal.

In the mean time he gave me an outline of the usage he had received from the beginning, which I scrawled down on a coarse sheet of paper which was in his room, which was not meant to be sent without being copied; but when I read it over, and found I had neither time nor opportunity for writing it over, I sent it as it was, and never repented doing so.

I do not mean you to print what I have written, but it will put you in possession of facts.

To Miss Dick,—Glasgow.

Madam,—My brother has just now related to me, the treatment he has received from you. The reason of being here, which needs no explanation to you, entitles me to the information thus confidentially given. I was exceedingly surprised this morning, when my brother told me you have declined coming to London at the time agreed upon, and have consulted your own interest, and have put it off for three years.

I will give you a correct picture of your conduct, which I can assure you is quite original: First, Mr. Alexander Fletcher writes to Miss D. wishing to open a correspondence with her on a certain subject. She answers him, I have received yours, and consulted my parents; they leave me to the freedom of my own will, but I decline corresponding with you. The matter breaks off. Nearly two years after this, Mr. F. was preaching in Mr. Thompson's chapel, in the Gorbles, Glasgow—was taken ill after service, was taken in a post chaise to Dr. D.'s house, was attended by Mrs. and Miss D.—the correspondence is again renewed—marriage is agreed upon. Mr. Fletcher is settled in

London; shortly after, Miss D. declines having him, stating she has no objections to him, but his relations were not respectable, and she could not think of entering into the connexion on that account. The affair is broken off again.

The following summer, Mr. Fletcher goes to Scotland to visit his father's family, when *lo*, and behold, he receives a letter from Miss D. addressed to the care of the Rev. William Fletcher, Bridge of Teith, father of this disrespectable clan; this family, not fit to be collateral connexions to the writer of the letter! saying, the family in Glasgow would be happy to see him—he goes to Glasgow, the affair is begun again, the time of marriage is appointed, his sister goes to London to prepare matters for the lady's reception; by and bye, she writes to him again, that his income is not what she expected, that she could not think of running into poverty with her eyes open; that if it came on after marriage it ought to be submitted to; but that she was at present in the bosom of an affectionate father's family, in affluence and comfort, and she had consulted her own interest, and resolved not to come to London for three years.

I would really like to know what entitles Miss D. of Glasgow to airs of this kind,—treatment which a Countess would not give to a clown. Is it her *person*, her *purse*, or *accomplishments*? Is this treatment likely to secure the affections of an equal for three years to come?

I would ask, wherewithal can he be bound three years to afflict him? My own opinion is, that you are as ignorant of these means as Delila was with respect to Sampson; and that you would make the same use of them, were they in your power.

JEAN F.

Miss D.'s answer was not sent to me, neither did I ever read any of her letters. Her answer to Alexander was as follows:

Sir,—I have just received a letter from a woman calling herself Jean Fletcher. Who is this woman, who is in possession of this minute statement of facts? No doubt some miscreant walking the streets of London. Who gave her this minute statement of facts? Is it the honourable man whom she calls her brother? If she is your sister, thank God she shall never be mine.

E. D.

I answered as follows:

Madam,—I am astonished you can give me a name so abominable, for relating what you confess to be a minute statement of facts.

I beg to warn you, that if *slander*, the daughter of *malice*, should cast her *venom* on me, I will make her wipe it off with the *mantle* of *prudence*, with which she attempts to adorn herself. "*Nemo me impune lacessit.*"

JEAN FLETCHER.

R. Bensley, Printer,
Bolt Court, Fleet Street.

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